

MCCORMICK READER  
CASE

DRAWER 4 IMPORTANT LAW CASES

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# Abraham Lincoln's Important Cases

## McCormick Reaper Case

Excerpts from newspapers and other  
sources

From the files of the  
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## LINCOLN NO SMALL COURT LAWYER, DECLARES BURCH

Abraham Lincoln was no ordinary "justice of the peace lawyer" as a great many people think, Chief Justice John Dawson told some 300 people last night at the Kansas Avenue Methodist church Lincoln Day dinner.

During Lincoln's 25 years of law practice in Illinois, he appeared before the supreme court of that state 178 times, Justice Dawson said. In Kansas if the best lawyers appear before the supreme court 50 times in their careers, they are rated as very successful.

Chief Justice Dawson is one of the best informed men in Kansas on Lincoln and his career. Many lawyers, but few laymen, know of his successful practice of law and of his keen legal mind, he told his audience.

## LINCOLN'S FIRST BIG LAWSUIT.

*Gath in the Enquirer. 11-20-85*

We can also remember that Abraham Lincoln probably received the means to lay off a while and conduct his debate on the subject of slavery with Senator Douglas through the proceeds of his fee in the McCormick reaper case. Washington and Lincoln were both the products of patents. A land patent was given to Lord Fairfax in Virginia, and he had need of surveyors to lay out that land, which otherwise would have been squatted on and left with no distinct title, like millions of acres in West Virginia still, which cannot be sold because nobody can be proved to own them. They will not be improved because they can not be owned. Among the surveyors jumping at a job in his boyhood's desire to earn something and relieve his mother was George Washington. He laid out farms and tracts under the Fairfax patent, and spent seven years in that occupation, which was preparatory to his military services. Lincoln, as I have shown, had time to mature himself for a debate with an experienced man like Douglas by a patent case coming along. George Harding told me in 1884 how Lincoln was employed. It was necessary, as the case affected Illinois, to add to the list of lawyers like Harding and Stanton the name of some man from the Illinois bar. They did not know any other lawyer in Illinois except Arnold, who had been engaged on the other side. They consulted Washburne in Congress, and he said there was a man named Lincoln quite capable. They looked into a directory and saw merely the words, "A. Lincoln, Springfield." Yet it was the debate which Lincoln earned the time to conduct by this case which brought him to the forefront of American history. Lincoln himself was an inventor, and you can see at the Patent Office his model of a steamboat, with air bladders under her, to be filled with air so as to raise her in shoal water.

# WHEN LINCOLN WAS SNUBBED

*Sunday Globe, Feb. 8, 1925*



## Miss Tarbell Tells of Perils That Lie in Wait For Any of Us Who Think We Ought to High-tone Our Fellow-Beings

**T**HE most agitated man I met in the recent Presidential campaign was one who saw a lifelong and almost realized ambition forever ruined by the election of a certain candidate. It took but little acumen on the part of a disinterested observer to know that this aspirant would never be President of the United States, but my interlocutor's fears had destroyed his political sense. That is the way fear operates.

It was the reason the man gave for the fate hanging over him that interested me. Ten years before, he said—he was an engagingly frank person—he had deliberately snubbed the candidate for no other reason than that he "didn't like his manners." The snub had been administered in the presence of others and had been felt by the victim. And here was the victim on top—soon to have the power, and my man believed he would have the will to ruin his ambition.

What a fool he had been—and what a cad! He seemed to be getting for the first time in his life a glimpse of what it is to be a gentleman!

His experience is not so unusual. There are many of us called to face the fact that snubs are unpleasant birds which often come home to roost. You frequently find them perching on humiliated heads as you read history.

### A Snub for Lincoln

Here is a story of one such historical find—unearthed 20 or more years ago when I was looking for somebody who had been on one side or the other of a famous trial in which Abraham Lincoln first met Edwin M. Stanton.

Stanton was a "great man," both in his own estimation and in that of his profession. Lincoln was "great" neither to himself nor anybody else; and Stanton, the known, succeeded in making Lincoln, the unknown, feel that there was a deep gulf, both professionally and socially, between them.

Young lawyers—and others—even if their instincts are gentle and humane, are quick to take their cue from their superiors, and to be gentle or brutal, humane or inhumane as are their leaders.

### Green Umbrella Too Much

In the legal battery to which Mr Stanton and Mr Lincoln belonged in that trial was a young legal specialist in patents—the case hung on the validity of certain patents. It was a fine thing for him to be associated with Edwin M. Stanton—it might mean much to him in the future. He wanted to make the most of it.

The three were at the same hotel, and as it happened started out the first day at the same moment for the court. Lincoln was never what we call a "well-groomed" man. His clothes, although they were always neat and of good material, "hung" on him. Stanton and his young associates were models of good tailoring. The straw that broke their backs, however, was that Lincoln appeared with an umbrella—large, green, unrolled, and he held it in the middle!

Stanton looked him over and, deliberately turning his back, started alone out of the hotel. The young associate did the same. A rude and unfriendly act to one of the biggest, friendliest souls on earth, and it was the beginning of several days of similar snubbing.

Stanton lived to make amends. The

young man never had the chance, though he learned and made humble confession of his mistake.

### Told as a Penance

He did not learn it well enough, however, to avoid a repetition. Twenty—or twenty-five years later—he, too, was "great" now in his specialty—he was in New York State trying a case in a small county seat. The hotel was over-crowded, and the keeper could not give him a room alone.

"But," he told him, "I can give you a bed in a room with one of our New York State lawyers. He's from Buffalo. His name is Cleveland—Grover Cleveland!"

Mr Cleveland came in just then. He was dusty and grimy from a long drive. I don't think he carried a green umbrella, but he naturally looked unkempt. The same man who had once refused to walk down the street with Abraham Lincoln because he carried an awkward umbrella now refused to occupy a bed in the same room with Grover Cleveland, who a few years later was to be President of the United States.

He told me the story himself—a kind of penance, it seemed to me. He is dead and gone, but even when living made no stipulation I should not repeat his confession.

The full ugliness of snubbing your fellow man is thrown into relief by such an incident. But the snub is not as shameful as that, to awake you to your manners it should take the embarrassment of finding your victim at the top of the ladder, socially and professionally, from which you once tried to kick him, and the fear that he may now return the kick.



# Abraham Lincoln's Start

**T**HE celebration of the hundredth anniversary of Cyrus McCormick's invention of the mowing machine is a reminder that its story is closely interwoven with that of Lincoln's sudden emergence from the position of a "backwoods lawyer" to one of national importance, says W. E. K. in the Boston Transcript. The first and only great case in which Lincoln was ever retained was that of Cyrus McCormick against John H. Manny and others, also manufacturers of mowing machines, for infringement of patents.

The lawyer for the defense, George Harding, of Pennsylvania, understanding that the case would be heard in Chicago, decided to employ as associate a local Illinois lawyer "who understood the judge and had his confidence." One of the partners in the defending company recommended a Springfield lawyer "whose name was given as A. Lincoln, or 'Abe.'" Mr. Harding sent a man down to Springfield "to look Lincoln over, with authority to retain him if he considered it best."

Beveridge gives a graphic account of the meeting at Lincoln's house. "The door was opened by a tall man, having on neither coat nor vest, who said that he was Lincoln and was just putting up a bed." The caller was not impressed, but after

some conversation, concluded that Lincoln might possibly be made useful, paid him a small cash retainer and left him with the understanding that Lincoln was to make an argument and should prepare for it.

Harding, on receiving the report of the interview, was convinced that Lincoln was not the man he wanted. It was thought best, however, to "keep Lincoln in line," but quietly to employ Edwin M. Stanton, another Pennsylvania lawyer of great promise, as Harding's associate, especially when a change of venue took the case to Cincinnati for trial.

Nevertheless, Lincoln duly appeared in Cincinnati, "prepared with perhaps greater thoroughness than ever in his life to argue this immensely important case." But Harding and Stanton's first sight of their Illinois colleague at his hotel determined them to dispense with his services, for he looked like a tall, rawly-boned, ungainly backwoodsman with coarse, ill-fitting clothing, his trousers hardly reaching his ankles, holding in his hands a blue-cotton umbrella.

At the opening of court the attorneys for the plaintiff called attention to the fact that, while they were only two in number, the defense was represented by three counsel. Harding and Stanton were quick to take advantage of the situation to request Lincoln to withdraw, which he did without protest, though he attended court through the whole proceedings and followed the arguments with rapt interest. He did not take umbrage, even, at the cavalier treatment accorded him by his recent associates. Although

they stopped at the same hotel, neither Harding nor Stanton ever conferred with him, ever had him at their table, or sat with him, or asked him to their rooms, or walked to or from the court with him. The presiding justice entertained counsel on both sides at dinner, but Lincoln was not invited, and when the hearing was over neither Harding nor Stanton said goodbye to him.

The effect upon Lincoln was not to be indignant but to determine him to improve himself until he could meet as equals such men as those whom he had heard conduct the great reaper case during that week of September 1855.

Five years from that very month Lincoln was a candidate for the presidency, yet during those years, while Lincoln by his debates with Douglas had become a national figure, neither Harding nor Stanton changed their minds about him. "When Lincoln was named for President by the party to which I belonged," said Harding long afterwards, "my disgust was such that I felt I could not vote for him and I didn't intend to, but I finally took a Lincoln and Hamlin ballot, closed my eyes, and with great reluctance dropped it in the box."

In that same campaign Stanton, who was an aggressive Democrat, attacked Lincoln with unbridled violence as a person without sense, manners or character. Yet within another five years that same Stanton, standing by the bed of the President who had made him his Secretary of War, noting by the physician's gesture that all was over, uttered the memorable words "Now he belongs to the ages."



# Manny Patent Suit

## LINCOLN HIRED TO TAKE PART IN LITIGATION

Early Local Inventor  
Was Awarded The  
Decision

### HISTORIC TRIAL

By JOHN F. McCANNA

Member of Wilson, Dawell, McCanna and Wintercorn

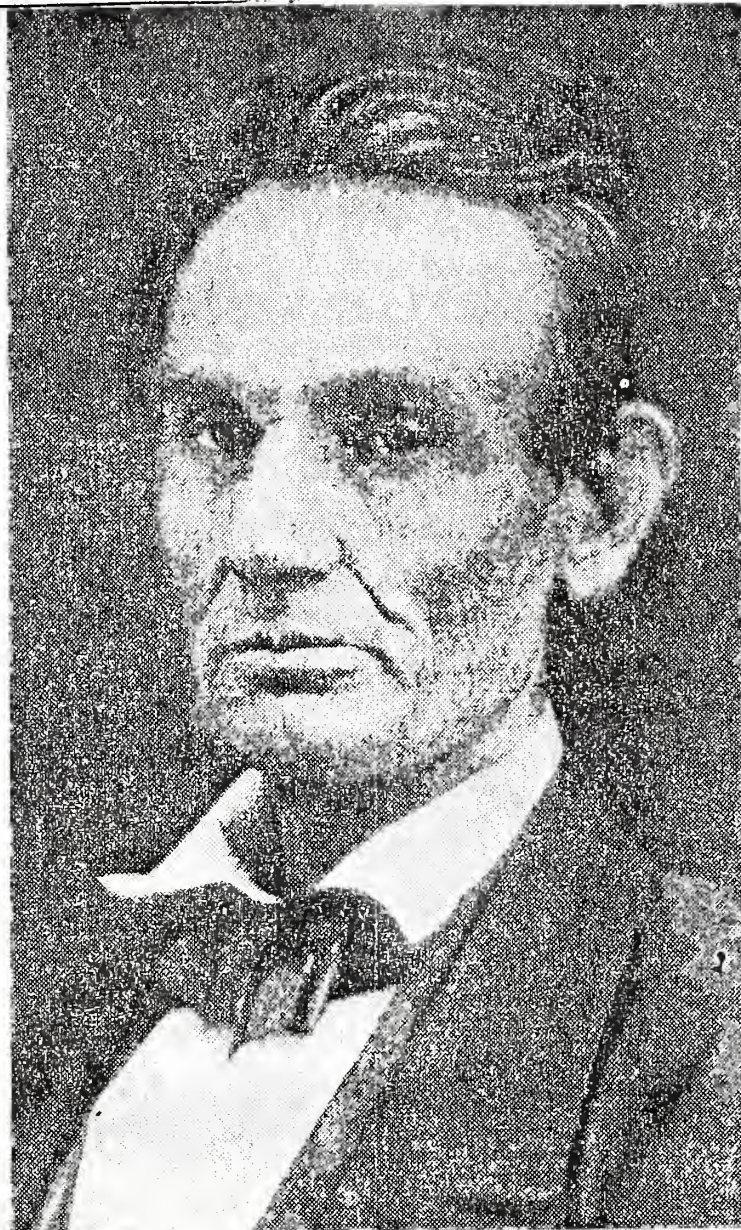
In celebrating Rockford's Centennial, we are reminded of the historical significance of the famous Cyrus McCormick-John Manny reaper patent case, undoubtedly the outstanding litigation of its time. It was famous because it broke the McCormick reaper monopoly and was an important factor in establishing a fundamental industry in Rockford, the manufacture of agricultural machinery. It was also famous because Abraham Lincoln participated in the litigation; and, while he did not take a leading part, it is recognized that this was his first connection with a case of national importance and his first emergence from the position of a "back-woods lawyer."

Just one hundred years ago, June 21, 1834, Cyrus H. McCormick, of Rockbridge county, Virginia, was granted a patent on the first reaper. It was a crude machine. Many improvements were made, not only by McCormick but by many others, including John H. Manny, one of Rockford's pioneer inventors. Manny founded the J. H. Manny company, makers of agricultural implements, then the leading industrial establishment in Rockford. Associated with Manny in the J. H. Manny company were Walt Telcott, Ralph Emerson and Jesse Blinn. This firm developed a combined mowing and reaping machine claimed to have many improvements over the McCormick reaper. Its business prospered and it wasn't long before the Manny mowers and reapers received the highest awards in competition throughout the country and soon attracted national attention.

#### McCormick Sues

Believing the Manny reaper to be an infringement of his patent rights Cyrus H. McCormick filed suit against John H. Manny and his associates. It was a test case to determine whether or not McCormick could maintain a monopoly in the reaper business. The suit was not based on McCormick's original patent but on improvement patents taken out in 1845 and 1853.

The suit was filed in November, 1854, in the Circuit court of the United States for the district of Illinois. Briefly, the infringement charged was the "divider" for separating the grain to be cut from



A portrait of Abraham Lincoln depicting the Great Emancipator at about the time that he was retained to represent the John H. Manny interests here when Cyrus McCormick brought his famous reaper patent suit against the local inventor.

that which is to be left standing. McCormick also claimed infringement in setting the reel post back of the cutter to improve the action of the reel.

He also claimed a raker's seat or position of the raker arrangement in combination with the reel to enable the raker to rake the grain from the platform and deliver it on the ground at the side of the machine.

#### Army of Talent

In the early days there were no patent attorneys in Rockford, and Manny's attorney, F. H. Watson, of Washington, D. C., who had solicited the Manny patents, was given entire control of the defendant's case. He engaged George Harding, a Philadelphia attorney to prepare the defense and argue the mechanics of the case.

McCormick had engaged an outstanding lawyer, Reverdy Johnson, of Baltimore. Then started one of the most elaborate and complicated cases of its time. Because of the large number of witnesses and the great mass of evidence and exhibits, it was necessary for the attorneys to take the testimony in many places in the east and central part of the country. This dragged on for months, piling up a voluminous record. It was a slow and laborious task because it was before the day of the typewriter and all writing had to be in longhand.

#### Days Of Oratory

In those days it was customary in patent litigation to employ special counsel gifted in forensic argument to deal upon the privations and labor of the patentee and insist upon a very liberal view of his



claims, and to hold that defendants who had appropriated any of his ideas should be treated as pirates, etc.

McCormick had selected Reverdy Johnson for the forensic part of his case. The defense attorneys, Watson and Harding, urged the employment of Edwin M. Stanton, of Pittsburgh, for their forensic argument. However, since all of the attorneys for both sides were easterners and the case was to be heard in Chicago, it is reported that the defense decided to employ a local Illinois lawyer "who understood the judge and had his confidence."

Manny recommended a Springfield lawyer "whose name was given as A. Lincoln, or 'Abe'." Harding sent a man down to Springfield "to look Lincoln over, with authority to retain him if he considered it best." It is reported that when the man arrived at the Lincoln house "the door was opened by a tall man, having on neither coat nor vest who said that he was Lincoln and was just putting up a bed."

The caller was not impressed, but, after some conversation, concluded that Lincoln might possibly be made useful. Harding, on receiving the report of the interview was convinced that Lincoln was not the man he wanted. It was thought best, however, to "keep Lincoln in line" but quietly to employ Edwin M. Stanton, a leading lawyer of Pittsburgh for the defense argument.

#### Lincoln Retained.

Lincoln was nevertheless retained and received \$500, the largest amount he ever received as a retainer. He did not take part in preparation of the defense, but from time to time as testimony was taken in different parts of the country, copies were sent to him. Lincoln studied the record and prepared a

written argument in full with the expectation of meeting the famous Reverdy Johnson in forensic contest at the final hearing. The case was important as to the amount in dispute and was of widespread interest to farmers. It was also a test of the McCormick monopoly and was looked upon as a most important litigation. Lincoln's fee, including the retainer, was almost \$2,000, the largest amount paid him except for the Illinois Central railroad case.

#### Trial At Cincinnati

The actual trial of the case took place at Cincinnati, instead of at Chicago. This was arranged by agreement of the parties. The case was heard from Sept. 20 to Oct. 2, 1855, before Judges John McLean and T. Drummond of the federal circuit court. Ten days in court were required to present the voluminous record and to make the arguments.

Ralph Emerson accompanied Abraham Lincoln and attended the entire trial with him. It is reported that Lincoln appeared in Cincinnati "prepared with perhaps greater thoroughness than ever in his life to argue this immensely important case," but that Harding and Stanton's first sight of their Illinois colleague at his hotel determined them to dispense with his services, for "he looked like a tall, rawboned, ungainly backwoodsman, with coarse, ill-fitting clothes, his trousers hardly reaching his ankles, holding in his hand a blue-cotton umbrella."

#### Lincoln Displaced

At the opening of the court the attorneys for the plaintiff called attention to the fact that while they were only two in number the defense was represented by three counsel. Harding and Stanton were quick to take advantage of the situation to request Lincoln to withdraw, which he did without protest. It is reported "he did not take umbrage, even at the cavalier treatment accorded him by his recent associates." Although they stopped at the same hotel, neither Harding nor Stanton ever conferred with him, ever had him at their table, or sat with him, or asked him to their rooms, or walked to or from the court with him. The presiding judge entertained counsel on both sides at dinner, but Lincoln was not invited, and when the hearing was over neither Harding nor Stanton said good-bye to him.

#### Lincoln's Impressions

Ralph Emerson, one of the defendants at the trial, has graphically recorded a historical impression of Lincoln—"As I was the sole intimate friend of Mr. Lincoln in the case, when it was decided that he should not take part in the argument, he invited me to his room to express his bitter disappointment; and it was with difficulty that I persuaded him to remain as counsel during the hearing. We generally spent the afternoons together. The hearing had hardly progressed two days before Mr. Lincoln expressed to me his satisfaction that he was not to take part in the argument. So many and so deep were the questions involved that he realized he had not given the subject sufficient study to have done himself justice.

"The courtroom, which during the first day or two was well filled, greatly thinned out as the argument proceeded day after day. But as the crowd diminished, Mr. Lincoln's interest in the case increased. He appeared entirely to forget himself and at times, rising from his chair, he walked back and forth in the open space of the courtroom as though he were in his own office, pausing to listen intently as one point after another was clearly made out in our favor.

"He manifested such a delight in countenance and unconscious action that its effect on the judges, one of whom at least already highly respected him, was evidently stronger than any set speech of his could possibly have been. The impression produced on the judges was evidently that Mr. Lincoln was thoroughly convinced of the justice of our side, and anxious that we should prevail, not merely on account of his interest in his clients, but because he

thought our case was just and should triumph.

#### Take a Walk

"The final summing up on our side was by Mr. Stanton; and though he took but about three hours in its delivery, he had devoted as many, if not more, weeks to its preparation. It was very able, and Mr. Lincoln was throughout the whole of it a rapt listener. Mr. Stanton closed his speech in a flight of impassioned eloquence. Then the court adjourned for the day, and Mr. Lincoln invited me to take a long walk with him. For block after block, he walked rapidly forward, not saying a word, evidently deeply dejected.

"At last he turned suddenly to me, exclaiming, 'Emerson, I am going home.' A pause. 'I am going home to study law.'

"Why," I exclaimed, 'Mr. Lincoln you stand at the head of the bar in Illinois now! What are you talking about?'

"Ah, yes," he said, 'I do occupy a good position there, and I think I can get along with the way things are done there now. But these college-trained men, who have devoted their whole lives to study, are coming west, don't you see? And they study their cases as we never do. They have got as far as Cincinnati now. They will soon be in Illinois.' Another long pause; then stopping and turning toward me, his countenance suddenly assuming that look of strong determination which those who knew him best sometimes saw upon his face, he exclaimed, 'I am going home to study law! I am as good as any of them and when they get to Illinois I will be ready for them.'"

#### Defendants Win.

The Cincinnati court held the defendants not guilty of any infringement of the McCormick patents and thereupon McCormick appealed to the Supreme court of the United States. The case was argued before the Supreme court Feb. 18, 1858, and on April 22, 1858, Justice Grier delivered an opinion sustaining the lower court and deciding in favor of Manny on all points.

Manny's death occurred before the case went to the Supreme court and by this time the implement business was carried on under the name of Emerson, Talcott and company, successors to J. H. Manny and company. Later the name was changed to Emerson Manufacturing company, and in later years to Emerson-Brantingham company.

#### Credit To Pioneers.

The perseverance of Rockford's pioneer manufacturers in carrying this case through to the end with victory in the Supreme court resulted in establishing one of Rockford's largest and most fundamental industries, the manufacture of agricultural implements and machinery. Rockford's industrial history might have been considerably different had McCormick won this litigation.

That sympathies were largely with the defendants is shown by the Scientific American's report immediately following the Supreme court decision: "Thus has terminated a suit which, if McCormick had been successful, would have subjected the reaping machine to his own private monopoly, and made him lord of the harvest. It is a matter of great individual hardship to Manny and company, that they should have been compelled, in order to shield them from a grasping monopoly, to maintain, single handed, a defense—expensive beyond example—in the most important patent suit perhaps ever tried in this country, while the benefits of their success will ensue chiefly to other manufacturers whom the suit has not cost a single dollar."

#### Lincoln's Appreciation.

Five years after the famous reaper case Lincoln was a candidate for president. Neither Harding nor Stanton changed their minds about him. Harding afterwards said "when Lincoln was named for president by the party to which I belonged, my disgust was such that I felt I

could not vote for him and I didn't intend to, but I finally took a Lincoln and Hamlin ballot, closed my eyes, and with great reluctance dropped it in the box." Lincoln later tendered Harding a high position. Stanton became war secretary.



## LINCOLN AND THE MCCORMICK REAPER CASE

By Robert S. Barton  
Drawing by Harry B. Chase

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One of the notable cases in the history of the American courts is that of McCormick vs. Manny, more commonly known as the McCormick Reaper Case. It was notable because of its tremendous importance to the industrialists who were parties to it or interested on-lookers, and also to the farmers who, in the 1850's represented the majority of our country's twenty-three million people. It was notable because of the intricate mechanical points involved, the claims of rival inventors, and the elaborate care and great expense with which the case was prepared by both sides. And it was notable because of the distinguished counsel engaged, including a lawyer named Abraham Lincoln.

In Lincoln history, the McCormick Reaper Case is notable because up to that time Lincoln had not taken part in a case of this kind, and had never had the opportunity to match his wits with and against such eminent lawyers as this case involved. In this case, too, Lincoln was paid the largest advance retainer he ever received, and the next to largest total fee that he received in his whole career as a lawyer.

But, the case is especially notable because it marked a turning point in Lincoln's development - and also because, in his connection with it, Lincoln was snubbed, insulted and humiliated - and was not permitted to take any part in the trial.

The case was a suit brought by Cyrus H. McCormick, of Chicago, against J. H. Manny & Co., of Rockford, Ill., for infringement of patent, recovery of damages, and for injunction to restrain Manny from further manufacture of the offending reaping machines. The suit was filed in the closing days of 1854, tried in September 1855, and the verdict announced in January 1856. It was one of three such legal battles which McCormick was conducting simultaneously.

Cyrus H. McCormick was born at Walnut Grove, Rockbridge County, Va., on February 15, 1809. Abraham Lincoln, born in Kentucky, on the opposite side of the Alleghenies, was three days old. Cyrus, eldest of eight children, inherited the mechanical instincts of his father, and in 1831, when he was 22 years old, he demonstrated and sold his history-making reaper. Homemade, mostly of wood, and produced in the blacksmith shop of his father's large farm, its mechanical features were to become far more significant than the young inventor could possibly foresee. Other reapers were invented at about the same period, or even earlier, in England as well as in America, but McCormick's design was the first which successfully combined all essentials of a satisfactory reaping machine.

But McCormick was not entirely satisfied with his design, and it was not until he learned of another's invention being patented that he hurried to patent his own. On June 21, 1834, he was granted, for fourteen years, "the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the said improvement." Other significant patents were granted in 1845 and 1847.

The years that followed were filled with difficulties and disappointments, but young McCormick arranged with agents in New York State, Ohio, Illinois and elsewhere, to manufacture his reapers, and despite the poor workmanship of his licensees, the uncertainties of transportation, the money due him that was not paid, and the time consumed in constant warfare with competitors, McCormick prospered; and by 1851 his factory in Chicago was the largest in the world manufacturing harvesting machinery. By that time McCormick had got rid of all his contracting manufacturers; he was also rid of all partners. Two younger brothers were with him in his company,

but as paid employees. The farm boy of Virginia had become one of the rich men of the country; and by his aggressive determination and limitless energy was now one of its industrial czars.

J. H. Manny & Co. sold nearly a thousand reapers in 1854, and as their design resembled the McCormick design too closely - and as Manny reapers had received awards over McCormick reapers in competitive trials, on several occasions - McCormick brought suit, claiming that he had already been deprived of at least \$30,000 in profits, and asking that Manny be required to give an accounting.

But Manny was by no means a weak opponent. Whether other manufacturers assisted in the defense seems doubtful; but there was no question as to which side had their sympathy. The farmers, too, were inclined to side with Manny against a possible monopolist. Manny had much at stake; but McCormick, in the top position in a fast growing industry, had even more. Both sides prepared for battle, with no thought of skimping on their defenses.

McCormick, the plaintiff engaged Edward N. Dickerson, of New York, one of the foremost patent attorneys of the day, for the technical aspects of the case. For the forensics - the "argument" - Reverdy Johnson, of Baltimore, was employed. He was a distinguished leader of the bar (who, incidentally, had won for McCormick, in 1851, his battle with the last of his partners).

The defendant, Manny, was represented by counsel equally imposing. For the technical exposition, George Harding, of Philadelphia, was a natural choice; and he was assisted by Peter H. Watson, of Washington, a patent expert. For the argument before the court, Edwin M. Stanton, a leader of the bar in Ohio (although now living in Pittsburgh) was engaged - and so was Abraham Lincoln, of Springfield, Ill.

As to how this happened, there are many different explanations. In fact, to get the true history of the McCormick Reaper Case one must assemble many different accounts, reconcile

their differences as far as possible, and rationalize where he cannot reconcile. What seems most likely to be the true history is this:

Watson, who was responsible for the organizing of the defense, and who assumed that the case would be tried in the Circuit Court for the Northern District of Illinois, with Judge Thomas Drummond presiding, thought it would be well to engage a lawyer who was acquainted with this judge and favorably known by him. When he failed to get Isaac N. Arnold, an eminent lawyer of Chicago, the name of Abraham Lincoln, of Springfield, was suggested to him by a young man named Ralph Emerson, one of Manny's associates and co-defendants. Watson went to Springfield, and finding Lincoln's office closed, went to his home. There he met "a tall man having on neither coat nor vest, who said he was Lincoln and was just putting up a bed." Watson was not favorably impressed, but he engaged Lincoln and paid him a retainer. He told Lincoln that as depositions were taken and testimony obtained, copies would be sent to him; and it was agreed that Lincoln was to study this material, familiarize himself with the case, and prepare an argument. However, it appears very doubtful, from various writers' accounts, whether Watson and Lincoln understood each other properly in this matter. It seems that Watson had no intention of having Lincoln present his argument in court, unless for some unforeseen reason Stanton should be unable to take this important part. In such an event, Lincoln would be a ready substitute. But - it is apparent that Lincoln did not understand this to be the arrangement.

The case was not tried in Judge Drummond's court in Chicago, after all, but in the court of Justice John McLean, in Cincinnati. Except that this move was by agreement of counsel, and for the convenience of Judge McLean, who lived in Cincinnati, the reason is somewhat obscure, as to why or how this move was made. Perhaps McCormick, the complainant, thought his chances were better there than in a court so near to Manny's factory city.

The case was set for hearing on



Thursday, September 20, 1855. Journeying from Illinois, Lincoln reached Cincinnati either Wednesday, or more probably, on Tuesday. It is recorded that he stayed at the home of a friend (possibly William M. Dickson, whose wife was a cousin of Mrs. Lincoln). Sometime, reasonably soon after his arrival, he went to the leading hotel, the Burnet House, to meet Harding and Stanton, with whom he assumed he was to be associated in Manny's defense. In his pocket was the manuscript of the argument he had carefully and conscientiously prepared.

The two distinguished lawyers were not at the hotel, but presently returned. Years later, George Harding recalled the subsequent events, in this way:

"He was standing on the platform at the head of the steps ascending from Third Street. He looked like a tall, rawly-boned, ungainly backwoodsman, with coarse, ill-fitting clothing, his trousers hardly reaching his ankles, and holding in his hands a blue cotton umbrella with a ball on the end of the handle. I can see distinctly that umbrella and Lincoln standing there with it.

"When introduced, we barely exchanged salutations with him, and I proposed to Stanton that he and I go up to the court.

"Let's go up in a gang," remarked Lincoln.

"Let that fellow go up with his gang. We'll walk up together," said Stanton, aside to Harding. "And we did," Harding relates.

It was a bad beginning, but matters were to get only worse. Reverdy Johnson, one of McCormick's lawyers, observed that "the defendants are represented by three counsel. We are quite willing that they shall be fully heard, and shall waive objection to there being more than two arguments on a side, merely asking that Mr. Dickerson be permitted to speak twice, if we so desire."

To this the hot-headed Stanton immediately replied that there was no intention on the part of defense counsel to outnumber the counsel on the other side, and that only two speakers for Manny would be heard. As Harding, the technical expert, surely was not to be ruled out, this clearly meant that either Stanton or Lincoln would have to step aside; and Stanton made no attempt to conceal his thoughts and intentions. Lincoln recognized the hint and politely offered to withdraw. His offer was instantly accepted; and from then on he was treated as having no connection whatever with the case.

He was deeply hurt; but he had come to Cincinnati to serve a client, from whom he had accepted a retainer. He felt the obligation and the desire to perform his duty, insofar as any opportunity was still open to him. And so he gave the manuscript of his argument to Peter Watson, asking him to deliver it to Harding, for whatever use Harding might make of it. Harding tossed it in the wastebasket.

Lincoln asked Watson whether Harding had read it, and the unhappy intermediary had to tell him the truth. Lincoln then asked that it be returned to him, so that he might destroy it; and it came back to him.

It had never been opened.

That was not the end of the snubs. There was a dinner, one evening, attended by all the principals in the case; but Lincoln was not invited. He was in court daily, but he did not sit with Manny's other lawyers; he was a spectator, in a seat in the rear.

But, from that seat he watched and listened with intense interest. During Harding's exposition of the mechanical points of the case, Lincoln caught every word and followed every gesture. And when Stanton, with his courtroom oratory, closed the case for the defendants, Lincoln was even more attentive. He had been hurt, and disappointed; but he did not become bitter. He was honest enough to see, and to accept the fact, that for the important

task to be done in this courtroom he lacked experience and was far less qualified than Harding and Stanton. He saw that he still had something to learn; and here was his opportunity to learn it.

But when each day's session was ended, and Manny's other lawyers showed no desire for his society or for the contribution of his ideas, Lincoln was free for sightseeing; and on his walks his most frequent companion was young Ralph Emerson. On the final day of the hearing, as the two men walked along, Lincoln broke his silence, turning to his companion and saying, "Emerson, I'm going home to study law."

"Why, Mr. Lincoln," Emerson exclaimed, "You stand at the head of the bar in Illinois now! What are you talking about?"

"Yes," Lincoln replied, "I do occupy a good position there, and I think I can get along with the way things are done there now. But these college-trained men who have devoted their whole lives to study are coming west, don't you see? And they study their cases as we never do. They have got as far as Ohio now; they will soon be in Illinois." Then, continuing, after a long pause, "I am going home to study law. I am as good as any of them, and when they get out to Illinois I will be ready for them."

On January 16, 1856, Justice McLean handed down his decision, which was in favor of Manny, on every point. "The case was argued on both sides with surprising ability and clearness of demonstration," he declared, but the essential fact in his official opinion was that the disputed parts of Manny's machines were different "in form and principle" from McCormick's design. The judge did, however, sugar-coat the bitterness of the adverse decision with this compliment: "He (McCormick) is left in full possession of his invention, which has so justly secured to him, at home and in foreign countries, a renown honorable to him and to his country, a renown which can never fade from the memory, so long as the harvest shall be gathered. The bill is dismissed at the cost of the complainant."



(McCormick immediately instructed his lawyers to appeal the case to the United States Supreme Court. Meanwhile, John H. Manny died, in Rockford, January 30, 1856, exactly two weeks after his victory in court. Thus his heirs and his former associates became the defendants in the Supreme Court suit; but, unfortunately for McCormick, the decision of the Circuit Court was upheld, on May 1, 1858, Mr. Justice Grier delivering the opinion, and, as in the former case, dismissing the bill, with costs.)

Lincoln is known to have been back in Springfield on Monday, October 1, and is believed to have left Cincinnati on the previous Wednesday, September 26. Dickson (who is thought to have been his host) tells of Lincoln's leaving, and his parting speech to his hostess: "You have made my stay here most agreeable, and I am a thousand times obliged to you; but in reply to your request for me to come again, I must say to you that I never expect to be in Cincinnati again. I have nothing against the city,



but things have so happened here as to make it undesirable for me ever to return."

But, as Dickson continued, in his later reminiscences, "He did return, two years later, with a fame as wide as the continent, with the laurels of the Douglas contest on his brow, and the Presidency in his grasp. He returned greeted with the thunder of cannon, the strains of martial music, and the joyous plaudits of thousands of citizens thronging the streets. He addressed a vast concourse at Fifth Street Market, was entertained in princely style at the Burnet House, and there received with courtesy the foremost citizens, come to greet this rising star." (This was September 17, 1859, when Lincoln was on a speaking tour, at the invitation of the Ohio State Republican Committee.)

Lincoln made still another visit to Cincinnati, and the occasion happened to be his fifty-second birthday, February 12, 1861. The President-elect, and his family, were on their way to Washington, in a special train. They received the city's noblest welcome, and the finest hospitality of the Burnet House.

And now comes an astonishing sequel - an incident in the career of a great President, a man too great to harbor a grudge or to seek revenge.

President Lincoln was inaugurated, March 4, 1861. Members of his original Cabinet were determined, to some extent, by political considerations; and thus Simon Cameron, of Pennsylvania, became the Secretary of War. But he resigned, January 14, 1862. Lincoln made him Minister to Russia - and immediately appointed as his successor, Edwin M. Stanton! - this, despite the fact that Stanton was an ardent Democrat, and had never disguised his disparaging opinion of Lincoln. Lincoln knew Stanton as a thoroughly honest and patriotic citizen, a man of judgment and unusual organizing ability, such as the national emergency demanded. Stanton proved to be

an excellent man in his position, and soon became an admirer and loyal supporter of the man he used to refer to as a "gorilla." It was Stanton, standing by the deathbed of the assassinated President, who spoke the words, "Now he belongs to the ages."

George Harding, too, was slow to change his opinion of Lincoln, but eventually came to recognize at full value the man whom he and Stanton had snubbed, in 1855. (In later years Harding was quoted as saying that Lincoln, as President, offered him a high position, assumed to be Commissioner of Patents. But if this was true, apparently Harding did not accept it. The Commissioner, 1861-65 was a David P. Holloway.)

Reverdy Johnson, another figure in the McCormick Reaper Case, although on the opposing side, continued to appear in Lincoln history. Regarded as a leader of the American bar, and its greatest orator after the death of Daniel Webster, he had been United States Senator, from Maryland, and served a second term during Lincoln's administration. And, when Lincoln was assassinated, Reverdy Johnson was chosen, from the Senate, to be one of the honorary pallbearers.

Ralph Emerson became senior partner of J. H. Manny & Co., after Manny's death, in 1856. Edward N. Dickerson continued to serve McCormick in other legal battles, as he did in the case against Manny. As for McCormick, he died May 13, 1884 (and Judge Drummond was an honorary pallbearer). Although he and Abraham Lincoln were contemporaries, there is nothing to indicate that they ever met; which might seem strange, for McCormick was one of the outstanding men of our country, in the Civil War and post-war years, known abroad as well as at home. But he was a confirmed and active Democrat, a generous supporter of the party until the end of his days; and, born a Virginian, he was an anti-Lincoln man as long as Lincoln was alive.

\*\*\*\*\*

# "Abe" Returned

★ ★ ★

## Even Though He Was Humiliated Twice In Cincinnati

BY JOHN F. CRONIN  
(THE ENQUIRER CITY EDITOR)

"YOU HAVE MADE my stay here most agreeable, and I am a thousand times obliged to you; but in reply to your request for me to come again I must say to you



I never expect to be in Cincinnati again. I have nothing against the city, but things have so happened here as to make it undesirable for me ever to return here."

But this embittered feeling must have been assuaged by subsequent events and the passing of time, because Abraham Lincoln did return to Cincinnati.

The professional slight against Mr. Lincoln in a law case in Cincinnati deeply offended the future President, but apparently he disclosed his feelings only to his host.

This curious incident was related in the June, 1884, issue of Harper's New Monthly Magazine, a clipping from which has been sent to The Enquirer recently by Dick Wessel, Centerville, Ind. The author was W. M. Dickson, presumably the Judge William Martin Dickson, a friend and presidential elector of Lincoln.

"In the summer of 1857 Mr. Lincoln made his first visit to Cincinnati. He was original counsel for the defendant in a patent reaper suit pending in the United States Circuit Court for Northern Illinois. The argument of the case was adjourned to Cincinnati, the home of Judge McLean, at his suggestion and for his accommodation."

★ ★ ★  
MR. LINCOLN was prepared to "measure swords" with a distinguished counsel from Baltimore, Reverdy Johnson, for the plaintiff.

But to Mr. Lincoln's chagrin, he found on arrival in Cincinnati that his client had retained a prominent Pittsburgh lawyer—Edwin M. Stanton. And "a Cincinnati lawyer" was employed for his "local influence."

"He felt it keenly, but acquiesced," the article reported of this slight to his professional pride. And Mr. Stanton spoke for the defense.

In this unhappy atmosphere, the great Civil War President was introduced to Cincinnati and to Edwin M. Stanton, the man who shared four years of tremendous responsibility with Mr. Lincoln as his Secretary of War.

"Little did either then suspect that they were to meet again on a larger theater, to become the chief actors in a great historical epoch," the Harper's article observed.

During this stay he visited the "grounds and conservatories of the late Nicholas Longworth, then living." He toured Walnut Hills, Mt. Auburn, Clifton and Spring Grove Cemetery; and he observed the operations of the county and city courts. A full morning was spent in Superior Court watching Judge Bellamy Storer, preside "in the maturity of his extraordinary powers."

★ ★ ★  
THE MAGAZINE reported that Mr. Lincoln's observation was:

"I wish we had that judge in Illinois. I think he would share with me the fatherhood of the legal jokes of the Illinois bar. As it is now, they put them all on me, while I am not the author of one half of them."

Mr. Lincoln, in effect, denied his own observation about Cincinnati by remaining a week after the trial, visiting and enjoying relaxed social relationships. But he had come here with the hope of winning fame "in a forensic contest with Reverdy Johnson," but was "pushed aside, humiliated and mortified."

Yet, two years later he did return, as Harper's put it, "with a fame as wide as the continent, with the laurels of the Douglas contest on his brow, and the Presidency in his grasp."

The article continued:  
"He returned, greeted with the thunder of cannon, the strains of martial music, and the joyous plaudits of thousands of citizens thronging the streets. He addressed a vast concourse on Sixth Street Market; was entertained in princely style at the Burnet House; and there received with courtesy the foremost citizens, come to greet this rising star."

Mr. Lincoln stayed three days. "But a perverse fortune attended him and Cincinnati in their intercourse."

★ ★ ★  
"NINE MONTHS after Mr. Lincoln left us, after he had been nominated for the Presidency, when he was tranquilly waiting in his cottage home at Springfield the verdict of the people, his last visit to Cincinnati and the good things he had had at the Burnet House were rudely brought, to his memory by a bill presented to him from its proprietors. Before leaving the hotel he had applied to the clerk for his bill, was told that it was paid, or words to that effect. This the committee had directed, but afterwards neglected its payment."

Mr. Lincoln's reply suggested indignation, particularly about the item for wines, liquors and cigars. "We had none—absolutely none," he emphasized.

The report then described the third—the triumphant—visit to Cincinnati on his way to Washington to take up the office of President of the United States—and immortality.

The Queen City must have atoned for previous abuses. Thousands lined the route from the station along the line of march.

"They welcomed him with one continuous and unbroken storm of applause."

And thousands stood in line to greet him at an informal reception—at the Burnet House.

SUNDAY MORNING, FEBRUARY 7, 1954



# Abraham Lincoln Took Part

Rockford Ill 2-15-55

## Visited City In Course Of Business

### SPECIAL NOTICE

Is hereby given to C. H. McCormick that I shall hold him accountable for all his infringements of my rights. He says in the Albany Cultivator of December, 1852: — "Satisfied from the experience of the past harvest of the impossibility of constructing the same machine for both reaping and mowing to the best advantage, a separate mowing apparatus for the next harvest will be sold with my reaper."

Now, my dear sir, make your separate mowing apparatus, but do not infringe my claims, for I shall hold you strictly accountable for so doing.

Signed, John H. Manny.

By DEAN TODD

Register-Republic Staff Writer

This militant warning was a prominent part of the advertisement in the second edition — March 3, 1855 — of the Rockford Register placed by Manny & Co. for sale of its "patent adjustable reaper and mower combined and single mower."

The warning presaged the famous Manny-McCormick lawsuit. Despite Manny's threat to bring action, the local manufacturer became defendant when Cyrus H. McCormick anticipated him by filing a patent infringement suit first.

### Win Cost \$60,000

Eventually it cost the Rockford firm \$60,000 to win the case,

which had as historical sidelights the occasions of Abraham Lincoln's only visit to Rockford and a clash between Lincoln and his subsequent secretary of war, Edwin M. Stanton. The case also resulted in considerable humiliation for Lincoln, counteracted somewhat by his largest legal fee up to that time — \$1,000 paid by the Manny company.

Lincoln didn't even argue the case, although he had prepared his argument. Honor of closing the case for the Manny company went to Stanton, a setback for the man who became the great Civil War president.

Manny was the inventive genius whose patents laid the foundations for Emerson - Brantingham company, later absorbed by the J. I. Case company. Manny is credited with giving the first great impetus to the manufacturing interests of Rockford.

He was born in Amsterdam, N. Y., Nov. 28, 1825. His inventive career began when his father bought a grain heading machine which proved unsatisfactory. The father and son modified the machine so thoroughly as to make it virtually a new machine. They patented the header and manufactured it on a small scale. However, it proved too costly and was abandoned.

### Began Designing

Manny then began designing a reaper, succeeding after early failures which nearly "broke" him financially. He built 84 of the machines in 1852. That year, in July, a reaper field trial was held in Geneva, N. Y., with the Manny reaper establishing firmly its superiority over 11 other competing machines.

In the spring of 1853, Manny moved to Rockford under the urging of Orland Clark, who had formed a partnership with Isaac

Utter the previous year. In the same spring of 1853, 150 Manny combined reapers and mowers were manufactured in the Clark & Utter factory.

Manny's move to this city probably was instigated somewhat by abundance of water power and by liberal credit extended him by the hardware firm of Blinn & Emerson.

### Reaper Is Popular

Popularity of the Manny reaper demanded larger capital. In the spring of 1854, Wait and Sylvester Talcott joined Manny as partners under the firm name of J. H. Manny & Co. That year, 1,100 machines were manufactured.

Jesse Blinn and Ralph Emerson were added to the firm in the fall of 1854 and the firm name was changed to Manny & Company.

In 1855, international reputation of the Manny machine was established in trials of the reaper held in Europe. Manny continued to improve the reaper and obtained 23 patents upon new devices.

In September of 1855, Cyrus McCormick, Chicago, began suit in federal court to enjoin the Manny company from using a certain device on grounds of patent infringement.

Actual inventor of the reaper — although McCormick generally is given the credit — was John Haskell, a lawyer who settled in Prairie Ronde, Mich. His machine, using an attachment to cut grain in the field was operated successfully in 1835 at Foster Field, Mich. In the fall of that year, an attachment for threshing the grain was successfully used at Climax, Mich.

Haskell's was the first combination machine ever operated that

both cut and threshed the grain.

### Seeks Patent Renewal

When at the end of the 14-year statutory period Haskell sought a patent renewal, he found McCormick was using another machine with improvement. Haskell's patent application was rejected on the ground he had neglected to patent his improvements.

The Manny-McCormick case was heard before Justice McLean and Judge Drummond in Cincinnati, although court records were kept in Chicago, which was in the same judicial circuit.

Outcome involved millions of dollars and vitally affected Rockford as a manufacturing center. Attorneys of national reputation were retained by both sides.

Counsel for McCormick included Reverdy Johnson and E. N. Dickinson. Peter H. Watson, who had been Manny's patent attorney, was given complete charge of the defense.

Watson, an early resident of Rockford, was proprietor with his brother, William, of the first foundry and machine shop, located on N. 2nd st. He maintained an interest in the firm until August, 1845.

After leaving Rockford, he became a nationally-eminent attorney and subsequently served as assistant secretary of war under Stanton in Lincoln's Civil war cabinet. Later Watson was president of the Erie railroad and one of the organizers of the Standard Oil company.

### Lincoln Chosen

Attorney Watson employed George Harding, Stanton, and Lincoln, the latter apparently upon recommendation of E. B. Washburne. But when all the parties arrived at court in Cincinnati, Watson informed Lincoln

# t in Manny-McCormick Suit

that Stanton would close the case for the defendants, a bitter disappointment to Lincoln.

Lincoln first met Stanton in Cincinnati, where Stanton treated him discourteously during the trial and referred to him as a rail splitter from the wild west.

Despite these indignities, Lincoln was impressed by Stanton's force of character, and when a man of strength was needed six years later, President Lincoln appointed Stanton his secretary of war. Historians have cited this incident as exemplifying Lincoln's moral greatness.

The suit ended in victory for the Manny company. The \$60,000

in legal expenses incurred by the defense was paid by the Rockford company from the business in a short time.

## McCormick Appeals

McCormick appealed the case to the U. S. supreme court, of which Roger B. Taney, who rendered the Dred Scott decision, was chief justice.

Decision of the lower court was affirmed and Manny's rights as an inventor were fully sustained.

However, the victory was hollow for Manny. His health was undermined from mental strain incident to perfecting his inventions and the trial of the suit.

He contracted tuberculosis and died Jan. 31, 1856, a little more than two months after his 30th birthday anniversary.

His inventions eventually brought wealth to others and prestige to Rockford.

Mrs. Manny received a royalty of \$25 on each machine manufactured, but the amount was reduced later. The firm met with financial difficulties in 1857, but recovered and built an extensive plant.

## Lincoln Visits City

Lincoln's only visit to Rockford was on professional business in connection with the Manny-Mc-

Cormick suit. He reportedly sat on an old log on the bank of the river and discussed the matter. According to one historian, Lincoln was a guest in Manny's home, which was a small frame building that stood on the site of the Milwaukee road depot.

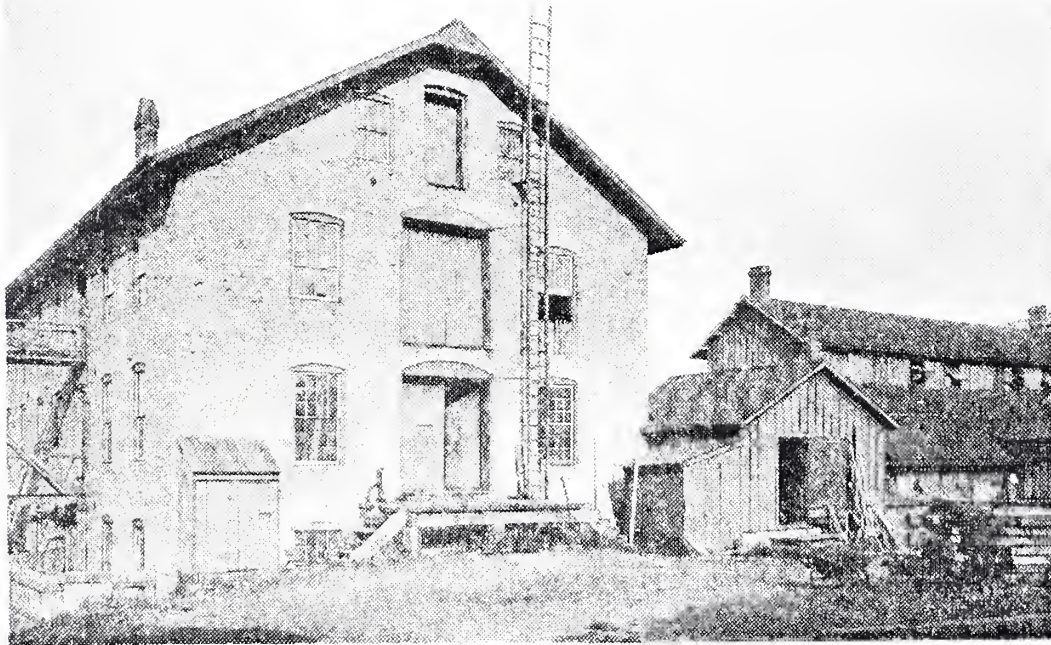
An incident concerning Lincoln during the trial is related in the Life of Lincoln by Ida M. Tarbell, who quoted Ralph Emerson as saying:

"Mr. Stanton closed his speech in a flight of impassioned eloquence. Then the court adjourned for the day, and Mr. Lincoln invited me to take a long walk with him. For block after block he walked rapidly forward, not saying a word, evidently deeply dejected.

"At last he turned suddenly to me, exclaiming, 'Emerson, I am going home.' A pause. 'I am going home to study law.'

" 'Why,' I exclaimed, 'Mr. Lincoln, you stand at the head of the bar in Illinois now! What are you talking about?'

" 'Ah, yes,' he said, 'I do occupy a good position there, and I think that I can get along with the way things are done there now. But these college trained men, who have devoted their whole lives to study, are coming west, don't you see? And they study their cases as we never do. They have got as far as Cincinnati now. They will soon be in Illinois.' Another long pause; then stopping and turning toward me, his countenance suddenly assuming that look of strong determination which those who knew him best sometimes saw upon his face, he exclaimed, 'I am going home to study law! I am as good as any of them, and when they get out to Illinois I will be ready for them.'"

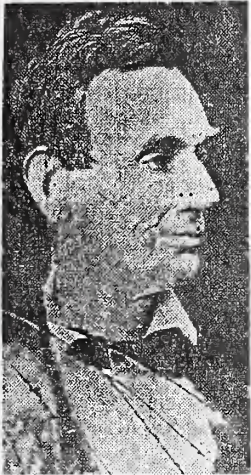


This is a part of the John P. Manny company's extensive manufacturing plant, located on the lower part of the water power area, after Manny won the Manny-McCormick patent suit in 1855. The company was established in 1848, but did not begin to make its international name until it became the John P. Manny Mower company.



# When Abe Lincoln Slept Here

★ ★ ★ ★  
The Atmosphere Was Tense At The Old Burnet House, For Abe Was Considered Out Of Place — He Returned To Illinois Impressed By The Polished Lawyers Here



Lincoln was embarrassed ...

By Jimmie Blount  
Enquirer Reporter

EVERYTHING seemed out of place.

A wrinkled linen duster, bearing stains of the weather and perspiration, drooped haphazardly over a satin-upholstered hand-carved sofa. The large bed comforted an unhandsome, ungainly middle-aged man. His dusty trousers failed to cover his slim ankles. His large bony feet protruded beyond the foot of the bed.

The elegance of the Burnet House (Third and Vine Sts.), Cincinnati's finest lodging, didn't console the occupant of the large room. His first experience in Cincinnati had been unpleasant.

The echo of the latest incident rang in his ears. Only minutes earlier it came from an adjoining room which housed an alleged business partner.

"I will not associate with such a damned gawky, long-armed ape as that!"

"If I can't have a man who is a gentleman in appearance associated with me in this case, I will abandon it."

★ ★ ★  
THE "gawky, long-armed ape" referred to by the Steubenville lawyer was, of course, Abraham Lincoln, the legendary President whose birthday will be observed Tuesday.

It was spring, 1854, and Lincoln was making his first visit to Cincinnati. He was to team with lawyers from Steubenville and Philadelphia in defending the John M. Manny Co., Rockford, Ill., a manufacturer of reapers, who had been sued for infringement of patent rights by Cyrus H. McCormick, inventor of the implement.

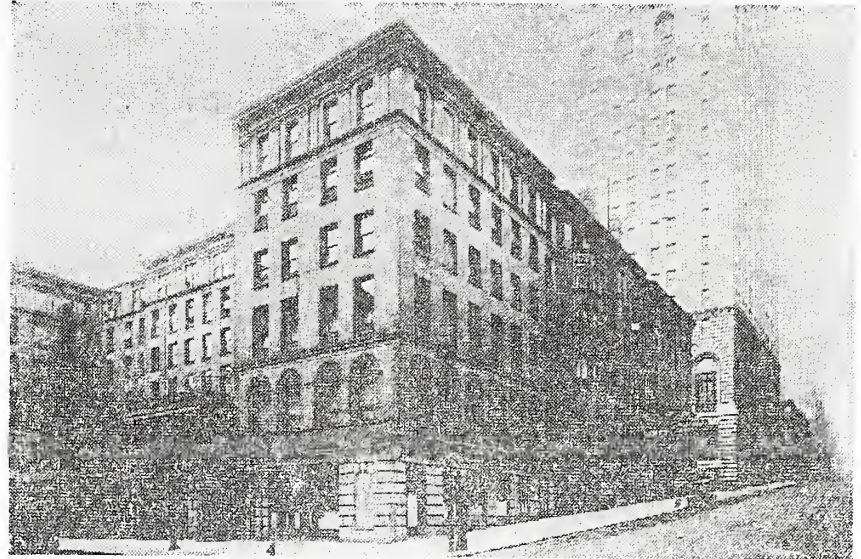
However, Lincoln was an unwanted party.

He had been engaged when it was believed the case would be heard in Chicago. His partners hoped the judge would be influenced by the appearance of an Illinois lawyer on their side.

When the hearing was scheduled for Cincinnati the party failed to notify Abe of



... Stanton was outraged.



Burnet House was host to a strange guest.

his release. Lincoln made the trip from Springfield to find his status that of an "observer." The Philadelphia lawyer, considering it "trash," refused to open the brief prepared by the "backwoodsman."

But the trip wasn't in vain.

★ ★ ★

LINCOLN was embarrassed by his exclusion and hurt deeply by the insults of his cohorts. However, as an observer he learned much. The techniques of these polished lawyers, particularly those of the Steubenville barrister, impressed the Civil War President.

Lincoln, after watching "his side" win the case, announced to a friend:

"I am going home to study—to study law."

"You know that for any rough-and-tumble case I am good enough for any man we have out in that country (Illinois); but these college-trained men are coming West."

"They have had all the ad-

vantages of a life-long training in the law, plenty of time to study and everything, perhaps, to fit them.

"Soon they will be in Illinois, and I must meet them. I am just going home to study law, and when they appear I will be ready," he warned.

And so it was that an unpleasant visit to the Queen

City may have made Abraham Lincoln a better lawyer and, eventually, a better President.

Oh, yes! The Steubenville lawyer, who labeled Abe an ape, was Edwin McMasters Stanton, Lincoln's efficient Secretary of War and close friend during his incomplete tenure in the White House.

# ILLINOIS STATE HISTORICAL LIBRARY

CENTENNIAL BUILDING

SPRINGFIELD, ILLINOIS



March 6, 1961

Dr. R. Gerald McMurtry  
Lincoln National Life Foundation  
Fort Wayne, Indiana

Dear Gerald:

The \$35 will be O.K. for the House Journal. I will keep an eye open for the others you want. I presume you have a complete set of the laws for that period. If not I have a few extra.

Last week I was finally able to go to Rockford and check the Manny material. I found quite a lot of correspondence. Since I was there only one day I only had time for a very quick check and did not find any Lincoln. However, we plan to either try to get this material or at least get it microfilmed.

I am enclosing the biographical material on John H. Manny and also Robert H. Tinker who later married Mrs. Manny. It is in the Tinker home that the material I found is located. There was also a John P. Manny who had much to do with the reaper in Rockford. Quite often the two have been mixed in the stories about the reaper case.

Do you have a picture of John H. Manny and copies of the printed answer of Manny and others to McCormick's bill as well as the printed opinion of the judge in the reaper case. If not, I can in time get these for you.

There is also in Rockford one of the models of the reaper owned by a Manny descendant who wants to sell it. I do not know how much he wants for it. I understood that the one you are after is in California.

NEWTON C. FARR  
RAYMOND N. DOOLEY  
CLARENCE P. JAC. CLELLAND  
Trustees

CLYDE C. WALTON  
State Historian

MARGARET A. FLINT  
Assistant State Historian

HOWARD F. RISSLER  
Editor

JTH:nd  
Encl.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Jim".

James T. Hickey  
Curator, Lincoln Collection



## ROBERT H. TINKER

"The business interests of Rockford are well represented in our subject, who for many years has been prominently connected with the history of this city, its development and its upbuilding. His life record is as follows: He was born at Honolulu, in the Sandwich Islands, in 1837, while his father, the Rev. Reuben Tinker, was there located as a missionary. The latter came of a good New England family of the Puritan stock and was a man of more than ordinary ability, a prominent Presbyterian clergyman of the Empire State. He was sent by the American Board of Missions to the Sandwich Islands, and spent ten years in active work among the people there. He then returned to America and continued his labors in Chautauqua County, N.Y., as a minister of the Gospel until his death, which occurred in 1854. He was an original sermonizer, and known as such throughout the entire State. He married a refined lady of Massachusetts, Miss Mary T. Wood, who proved an able assistant in his life work as a minister and missionary. She is still living in Westfield, N.Y., at the age of eighty-three, and her mental facilities are yet unimpaired.

With his parents, Robert H. Tinker returned to this country, and since 1856 has resided in Rockford, a leading and influential citizen of the county. He was married in this city, in 1870, to Mrs. Mary Manny, widow of John H. Manny, one of the leading inventors and manufacturers of this city. Mrs. Tinker was in her maidenhood Miss Mary Dorr. She was born, reared and educated in the East and came to Rockford with her first husband. Since that time, she has been one of the prominent ladies of this city, ranking high in social circles. Many public interests have received her aid and, among other causes, she has given liberally to the building of churches.

What Mr. Tinker has done for Rockford can hardly be estimated in words, but we will mention a few of the interests with which he is connected. He is President of the Rockford Water-power Company and a large owner in the Power Supplying houses and machinery. One has to walk over the grounds known in this city as 'The Power' to gain any idea of the magnitude of this enterprise and the important part it has played in the upbuilding of this thriving manufacturing center. Mr. Tinker is also President of the Rockford Bolt Works and of the Rockford Oatmeal Company, and is a stockholder and Director in many other corporations. When a live man is wanted to take charge of any new enterprise, Mr. Tinker at once comes to mind, for it is well known that he took the laboring oar in bringing the second railroad to the city after a struggle of several years. He is not only energetic and industrious, but is far-sighted as well, and his sagacity and enterprise have made his business career a most successful one.



Mr. Tinker has taken some part in local politics and in 1875 was elected Mayor of Rockford, which position he held for one term. He possesses much taste for landscape gardening and, owing to this fact, was recently chosen to plot the addition to the West Side Cemetery, of which he is one of the trustees, and his talent in this direction, and his willingness to bestow it without thought of remuneration on public and private grounds, have given the city of his adoption a name for its beauty and finish. His skill in this direction has found ample scope in the grounds of his pleasant home, 'Swiss Cottage,' which is located on the south bank of Kent Creek, overlooking the Illinois Central Railroad. It is, perhaps, the most picturesque home in the State, and has frequently been used to embellish pictorial works. A genial, cultured, modest gentleman, whose upright life has won him many friends, Mr. Tinker is well deserving of representation in his county's history, and we feel that this work would be incomplete were the record of his life omitted."

From: PORTRAIT AND BIOGRAPHICAL RECORD OF WINNEBAGO AND BOONE  
COUNTIES, ILLINOIS... Chicago: Biographical Publishing  
Co., 1892. Pp. 946-49.



## JOHN H. MANNY

"The history of Winnebago County, and indeed of the State of Illinois, would not be complete without some record of John H. Manny, the inventor of the famous reaping and mowing machine, which, a quarter of a century ago, made his name a household word throughout the States. Mr. Manny was born in Amsterdam, N.Y., November 28, 1825. He possessed a mechanical turn of mind, and at an early age made invention a study.

About fifty-five years ago, our subject accompanied his father to Illinois, and settled in Stephenson County, where, although his advantages were limited, he still continued to take delight in originating new ideas for invention, taking machinery apart, altering and improving, or adding new parts, as their utility seemed to require. He was industrious at school, and among the other pupils was noted for perseverance.

The attention of Mr. Manny was directed, about 1846, to the need of a reaper (a machine then comparatively unknown in this country), by the purchase by his father of a heading machine, which failed entirely to do the work designed. He and his father promptly set to work to alter and improve the machine to suit their wants, and to do this, found it necessary to almost completely make a new machine of it before it would do satisfactory work. They then patented their improvement, and commenced building heading machines for sale. Their machine was very successful as a header, but was so expensive to manufacture that it was beyond the means of the farmers to purchase, and the result was that they lost nearly all they had invested in the enterprise.

This failure, however, only spurred our subject to greater exertions, and he set about experimenting for a machine for cutting grain and grass. He was discouraged and laughed at, but he toiled on, overcoming one defect after another, until the machine could reap well and cut grass nicely, and then his triumph was complete. His means had been entirely exhausted in his experiments, but by the aid of friends he proceeded, the ensuing year, to build forty machines. Owing to a defect in the sickles, which had been procured of a manufacturer who claimed to be experienced in the business, these proved to be a disastrous failure. This was another test of Mr. Manny's perseverance under difficulties, which, to ordinary men, would have been hopelessly discouraging. He was left with an incubus of debt hanging over him, and, worse than this, the damaging reputation of his machines by their failure that year. These difficulties, however, only served to stimulate him to renewed effort, and he went patiently to work to retrieve the disaster. From the experience of the previous year, it was evident that to insure success the sickle must be improved. No part of the machine



is so essentially important to be just right as this, and upon it depends the success of the whole machine. In this crisis, a series of experiments was made for perfecting sickles, and a satisfactory result arrived at. He also succeeded in making arrangements to proceed with the manufacture of machines for 1852, and that year built eighty-four, adding such improvements as practical experience suggested. These were a perfect success.

In July of that year, the great reaper trial at Geneva, N.Y., was held. In this contest for supremacy, Mr. Manny's reaper came in competition with eleven other machines. The result of that contest is well known to the public. We need not repeat it. The excellence of Mr. Manny's machine was more fully established, and henceforth the demand for his machine continued to increase, until at the time of his death he was at the head of the largest reaper business in the world.

In the spring of 1853, Mr. Manny was induced to remove to Rockford, and manufactured for the harvest of that year four hundred machines. The popularity of the machines still continued to increase, and the demand had now become so great, and the business so extensive, that it was deemed desirable to secure interested assistance in its management. Accordingly, in 1854, Messrs. Wait and Sylvester Talcott became associated with Mr. Manny in its management as partners, under the name of J. H. Manny & Co., and during this year upwards of one thousand machines were manufactured and sold. In 1855, Jesse Blinn and Ralph Emerson, Jr., were also added to the firm, and the firm's name changed to Manny & Co., the business also still continuing to increase. Mr. Manny's overtasked brain had by this time so worn upon his physical frame, that he was obliged to give up the business management to his partners. He, however, continued to make improvements on his machine, until twenty-three patents were issued to him --embracing thirty-three distinct claims.

In the year 1855, the competition between McCormick and the Manny reapers had become fierce. McCormick commenced suit in the Federal Court at Chicago, to enjoin the successors of Manny from using what was called the 'divider' or 'shoe,' which precedes the sickle, and parts the standing grain. The question was, who first invented the divider used by Manny? The Circuit Court dismissed McCormick's bill, and he carried the case to the Supreme Court of the United States, where the decision of the Circuit Court was affirmed, thus sustaining Mr. Manny's right as an inventor. The 'clean swath' cut even in the field of lodged grain was a mute witness to the unflagging toil of John H. Manny, as well as to his genius.



This celebrated suit involved as counsel such men as Reverdy Johnson and Edwin M. Stanton. In the first trial of the cause, Abraham Lincoln was employed, and afterward referred to his \$1,000 retainer in the case as enabling him to stump the State of Illinois with Douglas, and which logically, it should be added, made him the most famous of all the Presidents.

The suit also exemplified the extreme heights to which a private property right will be carried in a Republic, where the parties involved have the means to carry on the contest. It was in this justly famous litigation, that Justice Daniel, in delivering a dissenting opinion, referring to the testimony of professionals said: 'The reveries, they may often be called, of a class of men styled experts are often as skillful and effective in producing obscurity and error as in the elucidation of truth.'

Early in the autumn of 1855, it was seen that Mr. Manny could not live long. That remorseless destroyer, consumption, had fixed its seal upon him. He was an untiring worker, far above his physical strength, which undoubtedly laid the foundation of his disease, which first began to show itself in 1852. To the very last moments of his life he was devoted to his great work; and his great ambition, after the commencement of his invention, seemed to be to place it in advance of all others in practical utility, and beyond all question of infringement.

On the 31st of January, 1856, Mr. Manny died, while yet in the full prime of life, scarce thirty years of age, just as his fame was becoming known on both sides of the Atlantic. Death, the great reaper, claimed him as a victim, and he peacefully passed to that 'bourne whence no traveler returns.'

In his moral character, Mr. Manny led a spotless life, and his memory is cherished by all who enjoyed his personal acquaintance. Frank, open-hearted, generous to a fault, and possessing the attributes of a true man, he was emphatically one of 'nature's noblemen.' "

From: PORTRAIT AND BIOGRAPHICAL RECORD OF WINNEBAGO AND BOONE  
COUNTIES, ILLINOIS... Chicago: Biographical Publishing Co.,  
1892. Pp. 1015-1017.



April 5, 1961

Mr. James T. Hickey  
Curator, Lincoln Collection  
Illinois State Historical Library  
Centennial Building  
Springfield, Illinois

Dear Jim:

I have given up all idea of buying the Manny Reaper model in California. The price is too high. I told Phil Sang about it and he instructed me to order it for him.

I thought in all fairness to Phil I should tell him that another one was located in Rockford, Illinois. I told him that you knew about it and he said he would call you by telephone. Perhaps he has gotten in touch with you by this time.

I want you to know that I am not trying to horn-in on your deal or to disturb your changes to get the reaper model.

I hope you will understand my position. I could not let Phil think that he was getting the only Manny Reaper model extant.

Sincerely,

R. Gerald McMurtry

RGM:hw



# TINKER SWISS COTTAGE, INC.

411 KENT STREET    ROCKFORD, ILLINOIS



May 8th, 1964

Dear Mr. R. Gerald McMurtry:

I have just received the enclosed print of Mr. John H. Manny. I hope this will be of help to you. It was taken by a photographer from Barber-Colman Co., Rockford when that company featured an article on Mr. Manny, in one of their monthly brochures. (About 1950-52)

The Tinker Cottage Auxiliary members had this painting restored last year and the Artist did a good job on repairing the two visible cuts in the canvas.

I am enclosing a copy of our first news letter since 1958. You may find something of interest in it. Also enclosed is the copy of the brochure given to all visitors touring the cottage.

I hope this will be of help to you.

Yours sincerely,

*Mrs. Arden W. Mortensen*

Mrs. Arden W. Mortensen  
Publicity chairman







ROCKFORD'S HISTORICAL

# *Tinker Swiss Cottage*

A bit of Switzerland set down in the heart of Rockford.

A mountain cottage perched high above the stream. .

A house of a thousand treasures and a million memories.



*Entrances from* KENT STREET

SOUTH MAIN

SOUTH WINNEBAGO

*Across from . .* ILLINOIS CENTRAL DEPOT

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## *Have You Seen...*

An authentically designed Swiss Cottage containing 20 rooms, complete with their original furnishings?

How a famous Rockford family lived in the 1870's?

A pair of large pale green Chinese Canton vases?

Tables and pedestals made from pressed oak roots?

A grain cradle and hay fork over 100 years old?

A French Empire mirror of 1840 sparkling with diamond dust?

The dress which Mrs. Manny wore at Lincoln's inaugural ball, March 4, 1861?

A sofa and chair used by Abraham Lincoln on his only visit to Rockford in 1855?

The portrait of Mark Twain which he himself said was the best likeness ever made of this famous writer?

Original Italian oil paintings and etchings printed on silk?

Complete sets of regal old-style rosewood furniture?

---

Robert Hall Tinker was born in the Hawaiian Islands in 1836, the son of Presbyterian missionaries. He returned to New York State when four years old. At age 19, when working in a bank in Westfield, N. Y., he was offered a position in Rockford by Wm. A. Knowlton, business agent for Mrs. Mary Manny, a widow whose wealth was derived from the manufacture of a combined mower and reaper invented by her husband.

Mr. Tinker traveled widely throughout this country and Europe and in 1862 brought back his own architectural sketches of chalets he had seen in Switzerland, from which he erected Tinker Cottage in 1865. In 1870 he married Mrs. Manny and they went to Honolulu on their honeymoon.

During his travels, he collected many interesting objects from all parts of the world with which to make his home enjoyable. He was Mayor of Rockford for one term in 1875. He died on his 88th birthday, December 31, 1924.

It was his desire that the Cottage and its contents be preserved for the enjoyment of the citizens of Rockford and vicinity. It was the late Mrs. Tinker who transferred the real estate to Rockford Park Board in 1926 and the contents to a Board of Trustees in 1937, whom she directed to make the collection available to the public.

## *Exterior* ▣

Tinker Swiss Cottage, as it is popularly known, was built in 1865 on a picturesque limestone bluff overlooking Kent Creek.

The exterior is of wood and stone construction with six-foot overhanging eaves supported by serpentine brackets. Several small balconies serve as porches and verandas for ventilation and relaxation. Tall gothic windows, a glass conservatory and a two-level basement are other interesting features of its construction.

## *Library* ▣

The library is copied after Sir Walter Scott's library in Abbotsford, Scotland. It is of hexagonal shape and contains a beautiful spiral stairway leading to a balcony.

Abraham Lincoln sat on the sofa and chair in this room. They are fine examples of the Victorian era in the mid-west in the 1840's. Lincoln represented the family in the Cyrus McCormick-Manny law suit for which Lincoln was paid \$1,000 and which gave him his real start in law.

## *Dining Room* ▣

The dining room, decorated with very fine murals, contains the original glass and dinner-ware from Bohemia, France, Austria, China, Germany, and England.

## *Upper Hallway* ▣

The picture of Mark Twain in this room is the same one that Mr. Tinker reportedly hid in his safe when Samuel L. Clemens visited here. Mr. Clemens had previously threatened to take the picture because it was the best portrait of himself that he had ever seen.

## *Artistry* ▣

The attractive alabaster vases are Italian and of 1850 vintage. The parlor furniture is French Victorian, while the pictures are Italian. Worthy of special notice are the Steinway piano built about 1850, the fire-place screen made of fine beads, and the shutters which fold back to resemble panels.

The large portraits in the living room known as American primitives are of exceptional value. They were exhibited in the Art Institute in Chicago at the request of the University of Chicago.



The unique and interesting Tinker Cottage library.

In this rapidly changing world it is good to have something old and solid and unchanging. It is good for mind and soul to step for just a moment, into the world as it was over a century ago. Just a moment of rest from the chaos of today will help us to carry on again. Such is a visit to Tinker Swiss Cottage, located at 411 Kent Street, Rockford, Illinois.

•

VISITING HOURS—2 to 5 P.M. on Wednesdays, Thursdays, Saturdays and Sundays. Other times by appointment.  
Admission Adults 50c Children 20c

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*Restored and Maintained by*  
TINKER SWISS COTTAGE ASSOCIATION, INC.  
TINKER SWISS COTTAGE AUXILIARY  
A Non-Profit Corporation Supported By Public Contributions



May 12, 1964

Mrs. Arden W. Mortensen  
Publicity Chairman  
Tinker Swiss Cottage, Inc.  
411 Kent Street  
Rockford, Illinois

Dear Mrs. Mortensen:

I have your letter of May 8th along with the photograph of the oil painting of Mr. John H. Manny. This photograph will serve my purpose well and I want to thank you for your cooperation in helping me acquire it. Once I finish with the photograph I will return it to you.

I am very much interested in your Tinker Swiss Cottage and the next time I am in Rockford I will want to see this interesting exhibit. I am certainly interested in the dress worn by Mrs. Manny to Lincoln's Innaugural Ball in 1861, and any other relics that you may have relative to the McCormick vs. Manny case of 1855.

Thank you for your help and cooperation.

Yours sincerely,

R. Gerald McMurtry

RGM/hcs



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SPIRAL STAIRWAY IN LIBRARY  
Historic Tinker Swiss Cottage Completed 1869  
411 Kent Street, Rockford, Illinois

May 11, 1941

Mr. J. H. ...  
...  
...  
...  
...

I have just received your letter of May 10th and am glad to hear from you. The old building of the ... is now being ... I have just received your letter of May 10th and am glad to hear from you. The old building of the ... is now being ...

I am very glad to hear that you are interested in the ... I am very glad to hear that you are interested in the ... I am very glad to hear that you are interested in the ...

Thank you for your ...

Yours sincerely,

J. H. ...

...



Interesting - Would it be possible to buy some of the other Bulletins?

As President of the Tucker Cottage Association I try to have something historical for each of the monthly meetings - I'm sure these would be most useful & interesting to all -

Have had 1298 visitors go thru the Cottage the first 4 months of 1964 - Address Mrs

Saturday May 2 1964

Mrs Gerald McMestry -  
Dear Sir -

Received your letter of April 29 - Have referred it to Mrs. Mostensen our Publicity Chairman and I'm sure in a very few days we shall have the picture of Mrs. John H. Manning for you -

Thank you for the copy of Lucile Lane - Very

3.

Many more Mr. Lucal's  
Inaugural Ball 1861 - is on  
display -

Thanking you - I  
remain Sincerely  
Mrs John L. Rapp  
251 - Merrill Ave  
Lower Park, Ill 61111



May 12, 1964

Mrs. John L. Rapp  
251 Merrill Avenue  
Loves Park, Illinois 61111

Dear Mrs. Rapp:

I was pleased to have your letter of May 2nd and to learn that you have in the Tinker Swiss Cottage an oil painting of the inventor-manufacturer John H. Manny.

I appreciate very much your efforts to help me acquire a photograph of this painting.

I have before me a letter dated May 8th from Mrs. Arden W. Mortensen sending me a photograph of Mr. Manny to be used in connection with my article. I was pleased to have your little publication entitled "Tinker Topics" dated May 1964.

The next time I am in Rockford, Illinois, I certainly plan to visit your interesting exhibit. I am particularly interested to learn that you have on exhibit the dress Mrs. Manny wore to Lincoln's Inaugural Ball in 1861.

Thanking you for your cooperation and help, I remain

Yours sincerely,

R. Gerald McMurtry

RGM/hcs

# ILLINOIS STATE HISTORICAL LIBRARY

CENTENNIAL BUILDING

SPRINGFIELD, ILLINOIS 62706



May 19, 1964

Dr. R. Gerald McMurtry  
Lincoln National Life Foundation  
Fort Wayne, Indiana

Dear Gerald:

Received your letter and the check. Many thanks.

I wouldn't be too concerned about the clothing on John H. Manny in the painting. We have a painting of Robert Irwin (cashier of Springfield Marine and Fire Insurance Co.) made in 1850 which has the same type of clothing. We also have a photograph of him for the same period in which his clothing is as you would expect. In Lorant you will notice that the picture of John T. Stuart and Joshua F. Speed have a rather high collar and full neck piece. We have several other copies of paintings and originals which apparently date in the 50's but have this style of collar and neck piece. It is my opinion this was an attempt by the artist to flatter the subject and possibly give a little touch of Stuart's Washington.

I believe the subject in the picture is young enough to be Manny with an attempt by the artist to show a more mature young man to fit the character of a successful young man.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "J. T. Hickey".

James T. Hickey  
Curator, Lincoln Collection



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*Editor*

JTH:njd  
Encl.







# Lincoln Lore

Bulletin of The Lincoln National Life Foundation . . . Dr. R. Gerald McMurtry, Editor  
Published each month by The Lincoln National Life Insurance Company, Fort Wayne, Indiana

Number 1516

FORT WAYNE, INDIANA

June, 1964

## THE MANNY REAPER Some Background Information on the Case of McCormick v Manny, 1855

In early July (7th) of 1855 Abraham Lincoln went to Rockford, Illinois, to make a detailed study of the mechanics of a reaper manufactured by Manny & Company. This trip was made during the period of time Lincoln was attending the newly created United States Circuit Court for the Northern District of Illinois which was meeting for the first time in Chicago. The reason for the trip was that Lincoln had received a \$400 retainer fee, sometime during the month of June, 1855, to represent the defense in the patent case of McCormick v Manny & Company. The suit was filed by the McCormick interests in November, 1854, in the Circuit Court of the United States for the district of Illinois.

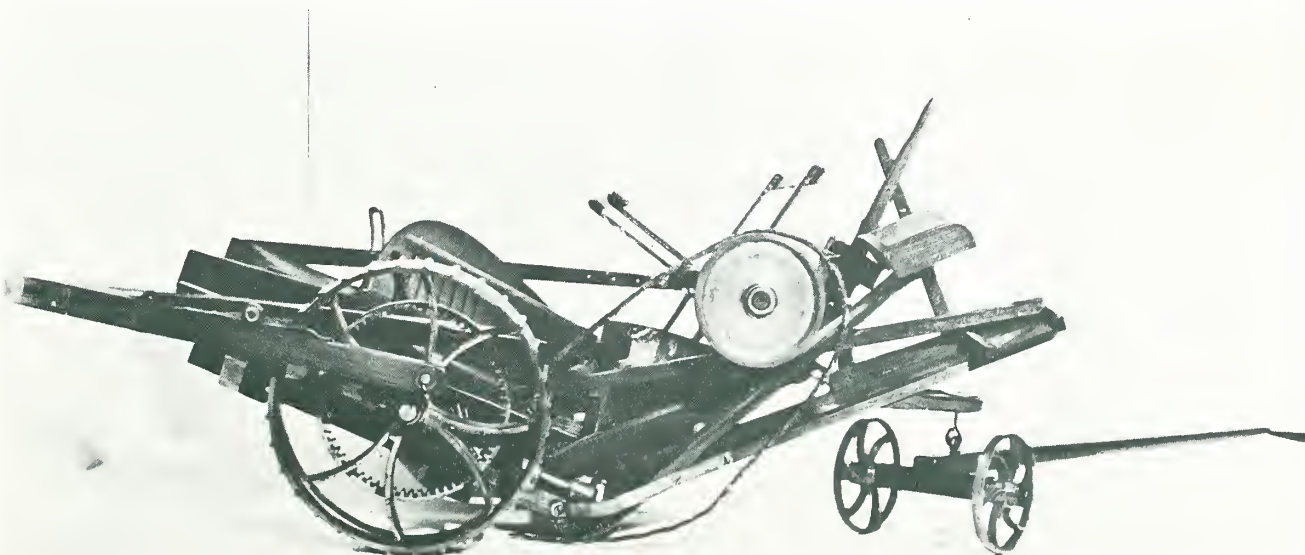
It was on June 21, 1834 that Cyrus H. McCormick, then of Rockbridge County, Virginia, was granted a patent on the first reaper. The original was a crude machine and many improvements were made in its operation in subsequent years by the inventor and other mechanics, including John H. Manny, one of Rockford's pioneer inventors. McCormick prospered, and by 1851 his factory in Chicago was the largest in the world manufacturing harvesting machinery.

McCormick's suit against Manny and his associates was not based on the original patent of 1834 but on improvement patents taken out in 1845 and 1853.

Manny, who was born in Amsterdam, New York, on November 28, 1825, had a mechanical turn of mind and at an early age made invention a study. About the year 1837, Manny accompanied his father to Illinois and settled in Stephenson County. In 1846, on coming of age, he recognized the need of a reaper (McCormick's machine was comparatively unknown in Stephenson County) and began work on one when the heading machine, which his father had purchased, failed to do the work designed for it.

To improve the heading machine it became necessary to build an almost completely new machine before it would do satisfactory work. The Mannys patented their improvements and started building heading machines for sale. The father and son lost almost everything they had invested in the enterprise, because their invention was so expensive to manufacture that it was almost beyond the means of their neighbors to purchase.

Undaunted, Manny began experimenting with a machine for cutting grain and grass. When his triumph was seemingly complete, he enlisted the financial aid of friends and built, in 1847, about fifty machines. However, there was a defect in the sickles, which had been procured from a manufacturer, and this second venture proved to be a disastrous failure. However, a few years



*Original Model from Philip D. Sang Collection*

A manufacturer's model of a Manny reaper made of mahogany wood and brass in the private collection of Philip D. Sang of Chicago, Illinois. This model likely embodies many of the features which were a topic of technical discussion in the McCormick Reaper Case.

later, with the improvement of the sickles, he was able to build in 1852 eighty-four new machines.

In July of 1852 in a great reaper exhibition at Geneva, New York, the Manny reaper came in competition with eleven other machines, and the excellence of the Manny product was established. In the spring of 1853 the Manny manufacturing plant was moved to Rockford, Illinois, and for the harvest of that year four hundred machines were produced.

The popularity of the Manny reaper continued to grow, and with the demand so great and the business so extensive, it was desirable to secure interested assistance in its management. So in 1854 Messrs. Wait and Sylvester Talcott became associated with the inventor in the factory's management as partners, under the name of J. H. Manny & Company; and that same year the company manufactured and sold over one thousand machines.

With the business growing, Jesse Blinn and Ralph Emerson, Jr. joined the firm in 1855. The name of the firm was changed to Manny & Company. Manny finally gave up the business management of the company to his partners while he continued to improve the reaper. Eventually, thirty-three patents were issued to him . . . embracing thirty-three distinct claims.

With competition so fierce between McCormick and Manny, the original manufacturer brought suit in the Federal Court at Chicago, to enjoin John H. Manny and his associates from using what was called the "divider" or "shoe" which preceded the sickle, and parted the standing grain. McCormick also claimed infringement of his patent in the setting of the reel post back of the cutter to improve the action of the reel. Furthermore, McCormick claimed as a patent infringement the position of the raker arrangement in combination with the reel to enable the rake to take the grain from the platform and deliver it on the ground at the side of the machine. In addition to the above, there were other technical allegations.

Manny & Company's attorney was Peter H. Watson of Washington, D. C., who as a patent lawyer solicited the Manny patents. Watson was given complete charge of the defendant's case. While he did not plan to take any part in the trial, he engaged George Harding, a Philadelphia attorney, to argue the mechanics of the case. Meanwhile, the McCormick Company engaged Edward

M. Dickerson of New York City, and the well-known Baltimore lawyer, Reverdy Johnson, to represent the plaintiff. To offset this advantage, Watson and Harding engaged the services of Edwin M. Stanton of Pittsburgh.

Thinking that the trial would be held before Judge Thomas Drummond of the United States Circuit Court at Chicago, the Manny interests felt that an Illinois lawyer "would be of real assistance in arguing such a case." The attorneys for the defendant first selected as their "local associate" Isaac N. Arnold of Chicago, but he held some adverse retainer. It was then that they selected Abraham Lincoln of Springfield, Illinois. When Watson contacted Lincoln at his home, he left him "under the impression that he was to make an argument and (was) expected to prepare for it." The opportunities which this case offered pleased Lincoln who had an unusual aptitude for mechanics. Then, too, the case offered contacts with big business interests and association with outstanding attorneys. Certainly, the case would also yield Lincoln a handsome fee.

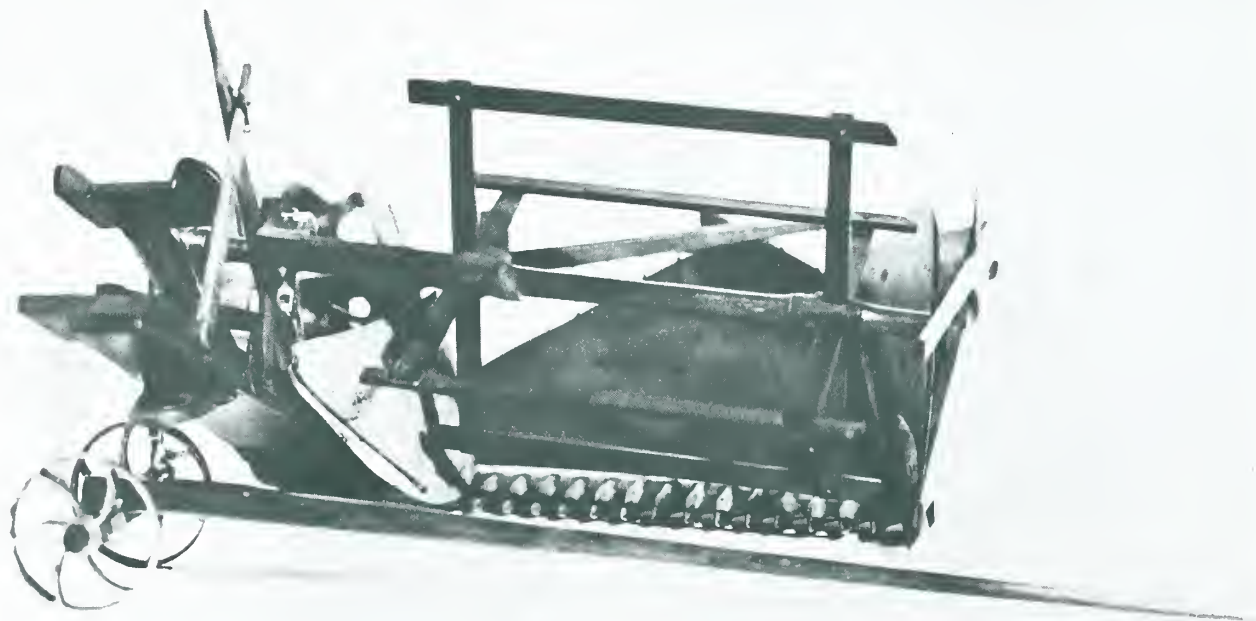
Apparently, Watson was not too impressed with Lincoln, but he was engaged at the insistence of Ralph Emerson, one of Manny's partners at Rockford. After the initial contact with Watson, the Springfield lawyer received no help, whatsoever, in his preparations for the case.

From Springfield, Illinois, on July 23, 1855 Lincoln wrote to Watson at Washington, D. C.:

"At our interview here in June, I understood you to say you would send me copies of the Bill and Answer in the case of McCormick *vs* Manny and Co. and also of depositions, as fast as they could be taken and printed. I have had nothing from you since. However, I attended the U. S. Court at Chicago, and while there, got copies of the Bill and Answer. I write this particularly to urge you to forward on to me the additional evidence as fast as you can. During August, and the remainder of this month, I can devote some time to the case, and, of course, I want all the material that can be had.

"During my stay at Chicago, I went out to Rockford, and spent half a day, examining and studying Manny's machine.

"I think you ought to be sworn before the evidence



*Original Model from Philip D. Sang Collection*

Another view of the manufacturer's model of the Manny reaper in the private collection of Philip D. Sang of Chicago, Illinois.





*From the collection of the Tinker Swiss Cottage, Inc.,  
Rockford, Illinois*

Photograph of an oil painting of John H. Manny (1825-1856)

closes: of this however, I leave you and the others to judge."

Not receiving any reply from Watson, Lincoln wrote the Manny firm at Rockford on September 1, 1855:

"Since I left Chicago about the 18th of July, I have heard nothing concerning the Reaper suit. I addressed a letter to Mr. Watson, at Washington, requesting him to forward me the evidence, from time to time, as it should be taken, but I have received no answer from him.

"Is it still the understanding that the case is to be heard at Cincinnati on the 20th inst?"

"Please write me on the receipt of this."

The chief reason for the failure to keep Lincoln abreast of the situation was that the case was to be tried in Cincinnati instead of Chicago. This change in the trial city, by agreement of both parties, was made for the convenience of Judge McLean of the National Supreme Court. Then, too, it was thought advisable to "keep Lincoln in line" rather than risk his possible hostility. The strategy was to side-track Lincoln once he arrived in Cincinnati, because the one object they had in employing him in the first place was that a local lawyer in Chicago would understand the judge and gain his confidence.

Nevertheless, Lincoln was prepared to argue the case — prepared, perhaps, with greater thoroughness than ever before in his life. Yet, during the course of the trial, which began on September 20 and was concluded on October 2, 1855, Lincoln sensed that he was not equipped to deal with the intricacies of patent law, which in this particular case required a knowledge of all foreign and domestic reaper patents. Lincoln simply did not have the training to enable him to meet such men as took part in the great reaper case — a test case in which rival manufacturers of the East joined the Rockford manufacturers in their fight to break the McCormick monopoly. While the eastern manufacturers did not appear of record in the litigation, enough money was raised "to do whatever (the defendants) thought would conduce to success." Needless to say, the outcome of the chancery suit was also important to western farmers.

When Lincoln went to Cincinnati to represent the defendants, he carried with him "a roll of manuscript" which he intended to present to the court. The story of the McCormick Reaper Case has been told and retold many times and will not again be repeated in this issue of *Lincoln Lore*. The reader will, of course, remember how Lincoln was humiliated and ignored by the de-

fendants both professionally and socially during his entire sojourn in Cincinnati. Yet in spite of this rebuff, Lincoln sent through Watson the roll of manuscript which he said contained the argument he had intended to deliver, for any use Harding might care to make of it. Harding, thinking that Lincoln's argument would be only "trash," did not even open it. Thereupon, Lincoln requested its return, intimating to Watson that he wished to destroy it. Lincoln received it unopened and no trace of it has been discovered to this day.

The majority opinion of the Court (handed down by Mr. Justice McLean) was delivered at Washington on the 16th of January, 1856. The lengthy technical decision (about 12 printed pages in length) declared in the last two paragraphs "that there is no infringement of the plaintiff's patent, by the defendant, as charged in the bill, it is announced with the greater satisfaction, as it in no respect impairs the right of the plaintiff. He is left in full possession of his invention, which has so justly secured to him, at home and in foreign countries, a renown honorable to him and to his country — a renown which can never fade from the memory, so long as the harvest home shall be gathered.

"The bill is dismissed at the costs of the complainant."

Lincoln probably left Cincinnati on September 26, 1855 without any thought of receiving a fee beyond the \$400 retainer. Lincoln told Emerson that this was the largest retainer fee he had ever received. Upon his return to Springfield, he received from Watson a check believed to be for \$600. Lincoln returned the check stating that he was entitled to no fee beyond the retainer. Thereupon, Watson returned the check to Lincoln insisting that he was entitled to the fee. Lincoln kept the fee.

Exactly two weeks after his victory in court, Manny died in Rockford. Early in the autumn of 1855 it was evident that he suffered from an incurable disease then called "consumption." As an untiring worker, he had taxed his physical strength beyond his endurance, and

IN THE

## CIRCUIT COURT OF THE UNITED STATES

FOR THE DISTRICT OF ILLINOIS,

IN EQUITY.

CYRUS H. McCORMICK,

vs.

JOHN H. MANNY, WAIT TALCOTT, RALPH EMERSON,  
AND JESSE BLINN.

*The joint and several answers of John H. Manny, Wait Talcott, Ralph Emerson, and Jesse Blinn, to the Bill of Complaint of Cyrus H. McCormick.*

These defendants now, and at all times hereafter, reserving to themselves all benefit of exception which may be had or taken to the manifold errors, uncertainties and insufficiencies of the said bill of complaint, for answer thereto, or to so much and such parts thereof as they are advised it is material or necessary for them to make answer to, answer and say as follows:

That they are informed and believe that Cyrus H. McCormick made an application to the proper department of the government of the United States, for Letters Patent for an alleged invention or improvements in the machine for reaping grain, and that Letters

*Photostatic Copy in Lincoln National Life Foundation*

Caption title page of a 25 page pamphlet containing the joint and several answers of the partners in the Manny Company to the Bill of Complaint of Cyrus H. McCormick.

IN THE  
CIRCUIT COURT OF THE UNITED STATES

FOR THE NORTHERN DISTRICT OF ILLINOIS.

CYRUS H. McCORMICK

vs.

JOHN H. MANNY AND OTHERS.

OPINION OF

MR. JUSTICE McLEAN.

*Photostatic Copy in Lincoln National Life Foundation*

Title page of a 19 page pamphlet, reprinted from the American Law Register, March, 1856, containing the opinion of Mr. Justice McLean in the McCormick Reaper Case.

it is believed that he contracted the disease as early as 1852. He was scarcely thirty years of age, at the time of his death on January 31, 1856.

After Manny's death, and before the case went to the Supreme Court, the name of the business firm was changed to Emerson, Talcott and Company as successors to J. H. Manny and Company. Later, the firm name was changed to Emerson Manufacturing Company, and again in later years to Emerson-Brothingham Company.

McCormick, as before stated, appealed the case to the Supreme Court of the United States. The case was argued before that high court on February 16, 1858 and April 22, 1858. Justice Grier's opinion sustained the lower court and found in favor of the Manny interests on all points. Again McCormick was instructed to pay court costs. This decision firmly established one of Rockford's largest and most fundamental industries — the manufacture of agricultural implements and machinery. The industrial history of Rockford would have been considerably different if McCormick had won his case.

The agricultural interests — those most affected by the outcome of the case — were largely in sympathy with the defendants. This sentiment was reflected by the *Scientific American's* report immediately following the Supreme Court decision:

"Thus has terminated a suit which, if McCormick had been successful, would have subjected the reaping machine to his own private monopoly, and made him lord of the harvest. It is a matter of great individual hardship to Manny and Company, that they should have been compelled, in order to shield them from a grasping monopoly, to maintain, single handed, a defense — expensive beyond example — in the most important patent suit perhaps ever tried in this country, while the benefits of their success will ensue chiefly to other manufacturers whom the suit has not cost a single dollar."

Undaunted by the adverse Supreme Court decision, William S. McCormick in the name of C. H. McCormick issued from Chicago on May 20, 1858 the following statement to agents in the field:

"I address you this circular to say, with reference to the result of my late suit against the manufacturers of

the Manny Machine, that we stand in the business just as heretofore — judges standing five to three.

"My original patent is out — expired by its limitation some years ago. My first patent was obtained in January, 1834, hence others may sell machines manufactured after my original patent, except so far as my patented improvements may apply.

"I sued the Manny Company for infringements and failing to recover, leaves me just in the same position I was in before the suit, and though others may, as heretofore, study to imitate my machines according to my original patent, and as nearly copy my patented improvements as possible, yet after all they cannot build and sell my identical machine. They are still obliged to *haul the raker on the platform*, where he must submit to having the dust thrown in his eyes by the operation of the reel, and to be *jolted over the clods by the little platform wheel, necessarily racking their machine to pieces*. This accounts for the great durability of my machine as compared with others. In my machine the raker is placed on the main frame where there is strength to stand the weight, which really gives additional power to the machine.

"My original patent really never afforded me any protection, for the reason that it has expired before the successful introduction of my machine. While this is true, however, such has been the superiority of the machine, that it has always kept the front rank, — my inability to supply the demand, enabling others to sell their machines, after my supply had been exhausted.

"I may also add that from my earliest commencement in the business, I have afforded my machines to the farmers at so low a rate, that regardless as competitors have been of my patents, they have not been able to afford even their inferior machines at a lower price. On the contrary, while the profits which I may have realized, has resulted from the extent of my business and the perfection of machinery, and other appliances brought to bear, along with laborious and continued efforts to make the machines so as to meet the wants of the farmers, while this is true, it may safely be said that the lead which I have taken and the large number manufactured by me for the market from their earliest introduction, when the farmers first began to lay aside the reaping hook and cradle, has been the means of securing machines to them at much lower rates than they must otherwise have paid.

"I will take occasion to say here that I have for sale several thousand sickles, made to suit my machines of past years, and of the very best materials, and that it would be a good investment for farmers to purchase and have at hand a pair of sickles. The loss of an hour in the harvest field would more than pay for a pair of sickles. Could you not by a little attention get large orders for them?"

There is a sequel to this miscellaneous collection of information:

Lincoln was inaugurated President of the United States on March 4, 1861.

Edwin M. Stanton became Lincoln's Secretary of War on January 15, 1862.

George Harding was offered by President Lincoln the position of Commissioner of Patents which he declined.

Peter H. Watson became president of the Erie Railroad.

Reverdy Johnson became a leader of the American bar and served a term as United States Senator from Maryland during Lincoln's administration. (At the time of Lincoln's assassination Johnson was chosen from the Senate to act as one of the President's honorary pallbearers).

Edward N. Dickerson continued to serve the McCormick Company in other legal battles, as he did in the case against Manny.

Cyrus H. McCormick died on May 13, 1884 and Judge Thomas Drummond served as an honorary pallbearer at his funeral. While McCormick and Lincoln were contemporaries (McCormick was three days younger than Lincoln) there is no evidence that they ever met. Perhaps because McCormick was a life-long Democrat and an anti-Lincoln man, there was no occasion for them to meet. Nevertheless, McCormick was one of the outstanding men of the country during the Civil War and post-war years.



## *How Lincoln Was Misestimated*

Lincoln Lore of Ft. Wayne, Ind., reminds that during the fall of 1855 Lincoln was involved in a patent case in which he helped to represent John H. Manny and others who were being sued by Cyrus H. McCormick. The trial was held in Cincinnati.

"Lincoln was humiliated and ignored by the defendants both professionally and socially during his entire sojourn in Cincinnati. Yet, in spite of this rebuff, Lin-

coln sent through (an associate) the roll of manuscript which he said contained the argument he intended to deliver."

This, too, was ignored. Lincoln got the manuscript back. "No trace has been discovered of it to this day."

That would be a valuable manuscript for a Lincoln researcher to uncover—in an attic trunk or elsewhere. As to the counsel who ignored him, Lincoln lived to name one of them, Edwin M. Stanton of Pittsburgh, Secretary of War.

# TINKER SWISS COTTAGE, INC.

411 KENT STREET      ROCKFORD, ILLINOIS



September 10, 1969

Doctor R. Murtry  
Editor of Lincoln Lore  
National Life Insurance  
Ft. Wayne, Indiana

Dear Sir:

Mrs. John L. Rapp, president of the Tinker Swiss Cottage Association and I would appreciate any information you can give us on Abraham Lincoln.

I am enclosing a brochure I compiled this Spring on the History and Tour of Tinker Swiss Cottage - Rockford's century old historical landmark. We proudly exhibit in the Cottage's octagonal library the chair and sofa Lincoln sat on during his visit to Rockford in August 1855 when he was a guest in the home of John H. Manny, inventor of the Manny reaper. When Mrs. Manny became Mrs. Robert Tinker several years later she brot these historic pieces to the Cottage.

We would greatly appreciate any and all historical data you can furnish us on our revered and beloved martyred President.

Very respectfully,

*Mrs. Arden W. Mortensen*

MRS. ARDEN W. MORTENSEN  
Trustee





*TINKER*

*SWISS*

*COTTAGE*







A Bit of History

And A Tour Of

*TINKER SWISS COTTAGE*



Historical Landmark

411 Kent Street

Rockford, Illinois



By

MRS. ARDEN W. MORTENSEN

Trustee

TOUR OF THE 20 EXHIBIT ROOMS  
OF TINKER SWISS COTTAGE  
ROCKFORD'S HISTORICAL LANDMARK

HISTORY

Robert H. Tinker was born December 31, 1836, in Honolulu, Hawaii. His father was a Presbyterian Missionary there. The family returned to the mainland in 1841 and settled in Westfield, New York. Robert attended Amherst Academy and later Amherst College. After his father's death Robert was employed as a clerk in the Westfield Bank.

Mrs. Mary Dorr Manny came to Rockford in 1852, the bride of the Inventor John H. Manny. He located his plant in what is now called the Water Power district and started to manufacture and sell a combined mower and reaper which he had invented. In 1855 the famous test trials of the Manny Reaper were held in Europe--trials which resulted in world-wide renown for the Manny machine. Competition between the McCormick and Manny reapers was by this time keen. McCormick commenced suit in Federal Court to enjoin the then Manny Company from using what was called the divider or "shoe" which preceded the sickle and parts the heading grain, on the grounds that the device was a patent infringement. One of the lawyers retained by Manny was the young Abraham Lincoln. When Lincoln was in Rockford in August 1855, in connection with the case, he was a guest at the Manny home, a frame building on South Main Street at the present site of the Chicago, Milwaukee & St. Paul Railroad Station. The close of the trial, held in Cleveland, Ohio, brought a decision for the defendants. Manny paid Abraham Lincoln \$1,000.00 for his services, the largest fee he had ever received, a sum reportedly financing in part his series of debates with Stephen Douglas. The medals and awards won by the famous Manny reaper are on display in a basement exhibit room at the cottage. Mr. Manny died in Rockford in



January 1856 at the age of 30. Certainly one of the most famous citizens to be buried in Rockford is John H. Manny, inventor of the Manny Reaper, which contributed largely to revolutionizing the agricultural industry of this country. Mr. Manny's grave at the Greenwood Cemetery in Rockford is marked by a shaft which bears stone carvings depicting the invention of the reaper. Mrs. Manny fell heir to great wealth for she had the royalties to her husband's patents. She purchased from Lawyer Holland a large brick mansion he had built on a little hill which was northeast of where the Illinois Central passenger station now stands.

Mrs. Manny appointed William Knowlton as her business agent. While he was visiting his brother in Westfield, New York, he met Robert H. Tinker and a friendship developed. When Knowlton returned to Rockford, he wrote offering young Robert a clerkship in his office, which he accepted. It took him several months to walk from New York to Rockford as he had no funds for transportation, arriving in August, 1856.

Mr. Tinker succeeded Mr. Knowlton in managing Mrs. Manny's business affairs. He became President of the following: Rockford Bolt Works, Rockford Twist Drill & Bit Company, Rockford Oatmeal Company, West-End Street Car Company, which started way out on Preston Street and ran across the Rock River back to Royal Street, the Second Rail Road to come to Rockford, Mayor of Rockford in 1875 and for some 12 to 15 years a member of the Rockford Park Board. He laid out the drives in Sinnissippi Park and also those on the old Rockford College grounds. He was a leading citizen instrumental in raising funds for the construction of Rockford's Grand Opera House.

He traveled extensively and in 1862-63 he took a trip to Europe with a Mr. Vincent who later became Bishop Vincent. In Switzerland Mr. Tinker became fascinated with the Swiss Chalets and on his return to Rockford, purchased the ground on which is now the Swiss Cottage.

The plans for the Cottage were drawn by the Architect George Bradley with all of Mr. Tinker's ideas incorporated.

Mrs. Manny and Mr. Tinker were married 1870 and went to Hawaii on their wedding trip. Mrs. Manny Tinker died in 1901. In 1904 Robert Tinker married -- Mary Manny Tinker's niece -- Jessie Dorr Hurd -- who passed away in 1942. Mr. Tinker died at the cottage on his 88th birthday, December 31, 1924. Embodiment of the early civic spirit which made Rockford a leading metropolis of the middle-west. He left his imprint on the cultural, political, historical and industrial life of the City -- and in Tinker Cottage, a heritage worthy of preservation and restoration.

Tinker Swiss Cottage is one of the unique buildings of the west area. Erected in the days of luxurious home building, it was and still is one of the most unusual points of interest to be found within many miles. Tinker Park, comprising 5.81 acres, was deeded to Rockford Park District, June 22, 1926, by Mrs. Jessie D. Tinker, widow, as a memorial to her husband, Robert H. Tinker. In accordance with the desire of Mrs. Jessie D. Tinker to establish for the benefit of the people of the City of Rockford a permanent exhibit of the many items of historical interest in Tinker Cottage. On March 20, 1937, Mrs. Tinker named as Trustees of the contents of the Cottage, Mr. and Mrs. Ernest Rastall and Mrs. Anne T. Carstarphen. The present Trustees are: Mrs. Ernest Rastall, Mrs. Arden W. Mortensen and Attorney David Connolly. Tinker Swiss Cottage, Inc., was formed in 1943 and Tinker Swiss Cottage Auxiliary in 1950 for the promotion, restoration and maintenance of Rockford's historical landmark. The Rockford District Park Board gives the Board of Directors of Tinker Swiss Cottage, Inc., a five year lease to operate as a Museum. They maintain the grounds but not the gardens by the Cottage proper. Tinker Swiss Cottage is incorporated as a State Museum.



Contributions, bequests and endowments are invited to carry on this work. Membership dues are: Regular \$1.00 per year, Sustaining \$5.00 per year, Contributing \$10.00 per year, and Life Membership \$100.00. Adult admission 50¢, Children 20¢.

#### KITCHEN

This is the room that afforded Mr. Tinker much pleasure and a place to reminisce on his travels in 1862-63 for on the walls are murals of places he had visited. Where ever Mr. Tinker traveled he always had paper and pencil available to sketch places and scenes he enjoyed. On kitchen table under glass are some of these sketches and from them the artist painted the murals -- on the North wall...a scene in Lake Lucerene, Switzerland -- above door...the Wellington monument on top of Gibraltar -- third...where Robert Burns became a Free Mason -- fourth...home in Holland that Mr. Tinker visited -- fifth..."Dunlace Castle considered the most picturesque ruin in Ireland or perhaps in the Kingdom" -- sixth...ruin of Kenilworth Castle, England -- seventh...Alexandria, Egypt (with Cleopatra's needle) -- eighth...Russian logging scene -- ninth...Stromboli -- tenth...Italian scene.

The marflex floor is the original (marble chips). The appliances are modern -- the second Mrs. Tinker did away with the originals years ago. The small door to the east was used to pass foods and dishes to the butler pantry. The pie or cooling cabinet with its hand painted screens was used to keep foods as the cool air from the rocks below kept them fresh. A very rare collection of Blue Ware is now on display in the cabinet, which includes Chinese Oriental -- the first of the blue porcelains (Chinese porcelain monopolized the field for over 100 years.) Three pieces of Enoch Wood, often called the father of English pottery. Many pieces of Josiah Wedgewood's flow blue ware before he perfected his blue pattern. Queen Charlotte awarded him the title "Potter to her Majesty", and his

queen ware became a success, Jasperware made him famous -- late 1770's. Two onion pattern Meissen plates -- German 1700. A Willow plate the best known and loved of all the transfer printed designs is the Willow pattern. This was originally an adaptation of a Chinese design, the Island pattern, which was used on blue and white porcelain imported to Europe in 1700's. The Willow pattern is so popular that everyone recognizes its river with the bridge across it and plumed trees along the bank and the legend the two birds above are the souls of two lovers fleeing from an angry father. A set of American pressed glass goblets, a thumb print glass spoon holder, goblet for celery and a small caster set. Above cabinet a large pressed glass vase that pickles came in -- on either side, Turkish vases -- on small stand below, a pink-  
ing iron -- and a bell that was used to call the family and servants to meals.

On shelf, a Seth Thomas clock still in use. (Seth Thomas started his clock business in Connecticut in 1813.) Kerosine lamp with reflector. Under glass on the table, part of the sketches made by Mr. Tinker on his trip to the Continent, pictures of the cottage and lawns before much of the land had been sold to industries and pictures of Mr. Tinker.

#### LIVING OR MUSIC ROOM

We believe this room was originally a music room because of the mural, which is of musical instruments, under the conservatory window on the west wall. When the leather-like paper was removed from the walls, it was discovered that Mr. Tinker had enlarged this room when he had added a conservatory to the cottage. Before the addition only one large window was in this room and above it was the lovely Italian & French Art Cornice. The original murals and stenciling was restored by the late artist, Mr. Jeffery. Various types of lighting were used in this room, such as candle, oil lamp, gas and electricity. Note the unique gas light fixture -- part of it pulls down to form a read-



ing light. The rug is a Brussell of a pattern used during this period. Above doors are two English salt glaze stoneware pitchers -- about 1700. The ivy design on doors was done by Mr. Tinker and is found on other doors. To the left is a Louis XIV style table with marble top Ann-canthus-carved legs. On it are the wooden crosses used by Mr. Tinker's father in his missionary work. Also on the table are a hand-carved Swiss jewel box and the other carving bought by Mr. Tinker at the Swiss exhibition building in London in 1862. A student oil lamp about 1880. The two early American Primitives which are among the very finest of their type in this country were borrowed by the University of Chicago and exhibited at the Chicago Art Institute. A primitive is a development of early American painting, free of classical European influence and, in most instances, painted with vegetable dyes. They are of Mrs. Manny Tinker's grandparents. Her grandmother and Martha Washington were members of the Ball family. The covered sofa, arm chair and four smaller chairs are of black walnut with hand carving and of Victorian style. The rocker is a Lincoln style. The table in the center has an oak root pedestal and typical of Switzerland. On it is a bird vase of Rudalstadt ware. On the marble top window table is a red Venetian glass goblet, a Turkish water pipe. On the book case are a set of encyclopedia and two Bristol vases. The candle tables are New England style. On one, two pieces of Lava ware, which are quite rare and unusual and could be from Pompeii or Hawaii; on another, two Australian humming birds; on the third candle table, two pair of candle snuffers. The two large vases are of Italian alabaster (soft form of marble) -- about 1850 -- and belonged in an Italian garden in southern Italy. Above the conservatory door on the shelf is a collection of pitchers:

- |              |                      |
|--------------|----------------------|
| 1. Wedgewood | 7. Pig               |
| 2. Ironstone | 8. Paulina           |
| 3. Carlsbad  | 9. English Moss Rose |
| 4. Mojolica  | 10. Oriental         |
| 5. Carlsbad  | 11. Bennington       |
| 6. Carlsbad  | 12. Gaudy Dutch      |

On the book shelf are several pieces of Sevres ware and a complete set of Tolstoy's works. The glass sliding door leads to the conservatory. As you go down the steps to the right, at one time, there was a natural spring where Mr. Tinker cooled his beverages. In the center of the room is a copy of a Pompeian urn in cast marble. On the wall is a coaster sled with the name "Tinker" burned in. In the Tinker days, this room was heated and contained many types of plants as well as lemon and orange trees. Also to be seen are two grist mill stones.

#### PARLOR

This room is representative of the Victorian era from 1870-90. The ceiling is the original. The blinds fold back and fit into the sides of the windows; they were part of the interior decoration and no curtains were ever used here. The glass is undoubtedly of panglass and poured (notice the colored glass insert). The piano is a Steinway square in a rose wood case with an ebony finish; it is Victorian style, well designed, and manufactured about 1850. On the piano are two large French porcelain vases and a framed etching on silk. Above the piano is the painting "The Angel Gabriel" by Carlo Dolci; the wood in the frame is handcarved lime and gilded. Notice the four portraits inset -- one is of Dante. The painting above the fireplace is "The Virgin of Sorrow" by Sassoperrato. These two paintings were purchased by Mr. Tinker in Florence, Italy, in 1862. The fireplace is made of white Vermont marble. The French clock, candelabums on the mantle and the figures on the pedestals are of French bronze, probably of 1860. Notice the lovely, delicate, floral Dresden ware under glass. On the gate-leg, walnut, drop leaf table are pictures of Mr. Tinker as Mayor of Rockford in 1875 and of Mrs. Mary Tinker. Mr. Tinker did the rose artwork on the framed picture of Mrs. Tinker above this table. One of Mr. Tinker in later life. In the center of this room is a mahogany veneer pedestal table. American Empire about 1850. On it is an English Staffordshire inkwell



1830. The three window seats, the two small upholstered chairs and settee, and the what-not were made especially for this room. The rose velour covering is the original covering. On the what-not are pieces of Carlsbad, satin glass, silver luster, Staffordshire hen and nest of eggs, mojolica and a witches ball. The fire place screen has a cover of beads (the design is a copy of the Danish sculptor, Bertil Thorwaldson's "Night Angel"). The bead work was done by Hannah Dorr, a sister of Mary Tinker who made her home with the Tinkers. The yellow paisley shawl on the sofa is made of camel's hair and came from India and the other from Hawaii. On the south wall are two French Primitives. The large mirror is French Empire, 1840, sparkling with diamond dust, and on the agate shelf are three French Sevres vases. The little boy and the lady on the two end vases were copied by an artist for the ceiling decoration. The rug is a replacement. The two vases under the agate shelf are Italian -- 1770.

A sliding door connects the parlor with the library, and this afforded the Tinkers, when the door was open, a larger area for entertaining. Only the inner door is now used and we remind visitors to step up as they enter the library.

#### LIBRARY

This room is what we call Gothic in style, as shown by the height and the lance-like motifs in the railing around the second floor and is octagonal shaped. It was patterned after Sir Walter Scott's library in Abbotsford, Scotland, visited by Mr. Tinker on August 15, 1862. The wood used in its construction was cut along the Pecatonica and Sugar Rivers near Rockford. It is butternut, fir, pine, walnut, and the panels in the walls are cedar. The floors are parquetry put together without the use of nails. The small pieces of wood used in the fireplace were collected by Mr. Tinker while he was traveling abroad. The fire place is of Western New York State marble.

The large vases in front of the fireplace are Chinese Canton -- 1820 -- purchased in Paris. The two figurines on the mantle are French Bisque -- 1890. Photo of the stately Manny Mansion and on the wall a history of Mary Dorr Manny Tinker's family. The globes for the light fixtures, originally used for gas (now electrified), are of French manufacture -- about 1550-1600 -- with portraits of historical persons. The art work on the sliding door was done by Mr. Tinker -- burned in and gone over with India ink. The figures represent Shakespeare's Seven Ages of Man...from his play "AS YOU LIKE IT", year 1599...the infant in his nurses arms...the whinning school boy...the lover...the soldier...the justice...and the old man in slippered pantaloons...the senile old man. The carved, circular stairway which winds around a pole to the upper floor is very rare and most interesting. Mr. William Gent, a machinery designer and a cabinet maker, assisted Mr. Tinker in building this stairway. It took about four years of steaming and shaping to curve the single piece of walnut lumber which makes the sweeping side of the stairway. The intricate carving was done by Mr. Gent. The old world globe on an iron pedestal dates back to 1861. A hand-carved paper and magazine rack. The six oval paintings are Italian with gilded paper mache frames and were purchased in Florence, Italy, in 1862. The bookcase above Mr. Tinker's desk contains many of Rev. Rueben Tinker's Bibles. The bust of Lincoln is a copy of the beardless Lincoln done by Leonard Volk in 1860. The chair and sofa were used by Lincoln when he visited the Manny home in 1855 and brought to the cottage when Mrs. Manny became Mrs. Tinker. On the Italian marble table are the following games used by the Tinkers: chess, cribbage, and checkers. The figures are of William Tell and his son Walter, and the very lovely wooden dish of third dimensional design in the center and border design has 3000 pieces of inlayed wood. The daguerreotype portraits are of Mr. Tinker's parents. This room contains hundreds of rare books. Among them are John James Audubon's "Birds of America" (hand-colored -- 1889), Audubon & Bachman -- 1849-54,



Quadrupeds of North America, Volumes 1 thru 3, Indian Tribes of North America, three volumes -- 1855, and Patent Office Reports -- 1852-3-4 -- with John H. Manny's signature.

Around the balcony ceiling are the Seven Wonders of the Ancient World. On Mr. Tinker's 1862-63 travels he visited the places where these historic buildings and monuments had been erected but the only ones standing were the Pyramids in Egypt which were built over 4500 years ago. The others are Mausoleum at Halicarnassus, Temple of Diana at Ephesus, Hanging Gardens of Babylon, Colossus of Rhodes, Statue of Zeus at Olympia, Light House of Alexandria.

The rug is an oriental.

#### DINING ROOM

The walls are particularly beautiful, which are truly decorative even today, with murals of fruit, vegetables, birds, scenes and busts of Benjamin Franklin and William Gladstone (Prime Minister to Queen Victoria.) In Mr. Tinker's 1870 diary, he wrote "the Italian artists finished the painting in the dining room." The floor is also beautiful, made of butternut, mahogany, and black oak, with parque design. The dishes on the table are part of a 200 piece set of Dresden ware made for the Tinkers. The pink rose is painted on each dish but no two designs are alike. A cruet set in center of table, two of Mrs. Manny's sterling silver with pearl handles, a piece of Sandwich glass (the best known name in American glass), Waterford (Irish) goblets and wine glasses, some with the initials MM (Mary Manny), the finger bowl has a wheat design, cut glass dishes and a glass flower vase used in the Tinker carriages or perhaps in Jessie Tinker's electric automobile. On the south wall is a Sheraton dresser put together with wooden pegs and designed about 1800 (Sheraton was the last of the great English cabinet makers). On it are an English Sheffield coffee and tea set, a silver and pewter

coffee pot with heating stand -- 1830, and a large silk laquered tray. On the west wall is the secretary, a rare and beautiful piece of mahogany, Empire style of 1840. On display inside are eight Italian portrait plates of historical people, silver spoons designed by Robert Tinker, silver knives and pieces of Haviland ware. On the north wall is a Hepplewhite dresser with its original finish -- 1700-1786 -- (Hepplewhite, the third of the great English designers) and on it two pieces of Staffordshire Pratt ware that belonged to Mr. Tinker's mother (this ware has not been manufactured for over 110 years). The English Lowestoft Tea Set and the large plate is of Ismari ware. The table is the original one; chairs are Douglas Windsor style of bird's-eye maple and the seats have been recained. On the small stand are silver fruit dishes and rose Flamille ware.

The butler's pantry contains many pieces of the Dresden set, an English Tea Set (striped to match the Dresden ware), Haviland ware, finger bowls, goblets and wine glasses.

The small room to the north of the dining room is called the Smoke Room. Mrs. Tinker preferred that the gentlemen use this room when smoking. The doors lead out to the verandas. The murals are original, and there are cornices for all the windows, a cabinet to hold smoking supplies, Boston rockers, an old album, stereoscope (an optical instrument for blending into one image, two pictures of an object from slightly different points of view), a sun dial that was used in the rose garden for many years -- date 1876. The light fixture has five lithophane panels; an oriental rug and hand-painted cuspidors.

#### FIRST FLOOR HALL

The what-not in the corner is made of polished roots obtained from the gardens of the Tinker grounds, hardened in water for six months and then put in the



sun to dry and varnished. The vase is French Sevre, and there is a collection of Mr. Tinker's canes. The large portrait above the radiator is an American primitive, two fine pedestals, oil paintings, early scenes of the cottage and grounds and the large mirror also contains diamond dust. The two etchings, one of George Washington and the other of Robert Burns, were made by Tinker.

On the north wall, leading to the second floor, hang fourteen original etchings on silk purchased in France by Mr. Tinker. There are two pictures of Mark Twain, one that Mr. Tinker retouched with the result that Mark Twain liked it so well that Mr. Tinker kept it in his safe when Twain visited the Tinkers.

## SECOND FLOOR

The small room facing south is recarpeted, and to the right is an old trunk, one of the fine bedsteads. Above it are portraits of the Tinkers in their youth and a boy's suit worn at some State occasion. On top of the china closet are hat boxes and inside a collection of dolls used by the visiting members of the family over a period of years. Included are a pen wiper doll, Bisque Bonnet, two Heubach dolls made in Germany in 1880, the baby has a hand painted bonnet and holds a Penny doll. The one in Brown dress is a wax doll -- 1840, the Rosa Bonheur -- Parian head has its original hand-made dress. The others are Flora Dora German dolls, and all have new dresses made from fine material left in the various dresser drawers. The Cameo is one that Jessie Tinker gave to her trusted gardener as a gift and after his death his family presented it to the Trustees for the permanent collection. Beautiful hand made French handkerchiefs, two pieces of ivory carvings (one of a deer and the other a cross), and some doll clothes. In small glass case, there are a collection of bonnets, a fancy muff, a baby bonnet over 100 years old, a pinafore and Mrs. Tinker's Quaker bonnet given to her in 1875. On the door hangs a bustle; nearby on the floor is a doll

bed; on the wall is a Godey fashion print of ladies dresses; and a sewing machine patented about 1870 is a Willcox Gibbs, shuttle stitch.

The South room looks out over the yard and contains one of the finest of the Tinker bedroom suites -- a mahogany of very fine type workmanship, a bed, a dresser and a commode. On the bed is the dress worn by Mrs. Manny at Lincoln's 1861 Inaugural Ball and the feathered fan she carried. On display in the clothes closet, are men's and women's clothing, and on top is Tinker's leather hat box. There are interesting window with blinds, a Boston rocker, and oil paintings on the walls.

In the hallway is another root table, and the clothes closet has an interesting collection of shoes, slippers and sandals, hats, dresses and parasols.

The Master bedroom is the most representative of Swiss architecture in the cottage. It has beamed ceiling, painted blue between the beams, the wood-paneled side walls, the casement doors under the overhanging eaves and heavy paneled doors. The floor is of butternut wood. The bedroom suite of Rosewood is almost regal and is French Victorian, purchased at the Crystal Palace, a world exhibition building in New York City which burned in 1858. This would indicate that this furniture was bought for the Manny mansion and then removed to the Tinker Cottage. Notice the elaborate hand-carving above the dresser mirror, the marble top, and the bottom drawer is a secret one. On the bed are two very old French Marseilles bedspreads. Displayed are some of the family dresses and a handsewn dressing gown. The old Windsor rocker, which is well over 170 years old, belonged to Mrs. Manny's mother as did the 1816 Bible on the rare Piecrust tilt-top table. On the marble top commode is a set of English Spode ware, and on the mantle above are several pieces of Peach Glow, Carlsbad ware and Mr. Tinker's model of the family cemetery monument in Greenwood Cemetery. The portrait of Lincoln is a rare one, and the steel



engraving of Lincoln's cabinet is one of seventeen made. On the chest of drawers are issues of the "Rock River Democrat" from May 31, 1853 to June 9, 1857. Published every Tuesday...cost per year in advance... \$1.50. It is listed as the official paper of the city, and its slogan is "A Weekly Journal devoted to Politics, General Intelligence, Literature and Art". Two large volumes of the American Edition of Boydell's Illustration of the Dramatic Works of Shakespeare by the Eminent Artists of Great Britain. Restored and Published with the original descriptions of the plates by Shearjashub Spooner, A.B., M.D., author of a Biographical and Critical Dictionary of Painters, Engravers, Sculptors and Architects -- Year 1852. Above the chest is an original Rosa Bonheur.

#### UPPER BALCONY ABOVE LIBRARY

Leaving the Master bedroom, one enters the upper balcony and most everyone wishes to go down the circular stairway -- but that is only used now when the stairway is cleaned. The first day the cottage was opened to the public over 1000 people used this staircase and a crack developed since it was not built for heavy traffic. Of interest are six ladder back chairs, a genuine Audubon, steel engraving of the Lord's Last Supper and one of Lincoln, and an old carpet beater, old clocks. Notice wood in the built-in book case which contains Mr. Tinker's model of the cottage and the Swiss barn (which burned down in 1958). Also, a hand-drawn psalm song book. In the east cabinet there are a collection of geological rocks he purchased Sunday, July 27, 1862, at the Giant Causeway, Ireland, and mementos from the Hawaiian Islands. A view of what is left of the swinging bridge.

#### NORTH BEDROOM

The furniture in this room is of exceptional fine workmanship. Note the bedside stand, hand-carved handles on the dresser, marble tops, wood is burlled walnut. The mirror above the commode is a rare O.G.

Empire, the commode set Haviland wedding ring pattern, on bed blue coverlet 125 years old, and copper bed warmer. On dresser pictures of Mrs. Jessie Tinker and her aunt, Hannah Dorr.

In the small adjoining room are two very interesting pieces of furniture -- a Victorian dresser with removable mirror, a spool single bed, colonial type with knobs once used for rope spring, and a blanket pull. On the dresser are a child's button shoe, several button hooks, many hat pins and a silver comb, mirror and brush set.

The tour now finishes in the basement exhibit rooms.

#### BASEMENT ROOMS

The basement has many rooms -- large laundry and furnace rooms to the west which are not opened to the public. The northwest room was used to store the foods canned by the Tinkers. (No remodeling or changes have been made to these rooms outside of painting the walls, ceilings, woodwork and floors and adding rubber floor matting.) This room contains a collection of Hawaiian baskets, tin, copper, brass, and iron cooking utensils, a nut cracker, fruit peeler and parer, herb mixers, butter churns, wooden bowls and spoons, stone ware, tin lantern 1820-50, mason jars, parasol thermometer, blue hanging flower vase and an old washing machine, fluting iron, and many large crocks.

#### MIDDLE ROOM

One cabinet contains the medals and trophy cups won by Mr. Manny in Europe and this country on his reaper inventions, a Reader's Digest telling of Lincoln's first big fee (the \$1,000 he received from Mr. Manny in 1855.) Mr. Tinker's diaries (the one 1856) has a sketch of himself as he looked walking to Rockford from New York in 1856. An assortment of holiday cards, dance programs, old valentines and an assortment of



ledgers. The other cabinet displays many of Mrs. Manny Tinker's fans, parasols and interesting mementos from the Hawaiian Islands. On the east wall a patent... self-operating rake for reaping machine... John Richardson #13102. Patented June 19, 1855. From the U. S. Patent Office of Letters. Patent to John Richardson, signed S. S. Shugars. The other patent... John H. Manny... Combined Reaper & Mower and single mower... conceded champion of the Harvest field... best hand-rake reaper. First most complete combination reaper and mower... harvest 1868... signed William A. Knowlton, Rockford, Illinois. Letters patent #18,510... October 27, 1857... John H. Manny invented.

In the hallway by the stairway is a photostatic copy of bill of sales of paintings purchased in Florence, Italy, in 1862-63 by Tinker. A self portrait of Robert H. Tinker done with the air brush he invented... also one he did of Josephus Dorr, Mary Tinker's father... steel engraving of famous inventors (including Cyrus McCormick)... a Sea Scape by Hurd... picture of Victor Hugo... many post card views showing how the cottage and grounds looked during Mr. Tinker's days.

#### MR. TINKER'S OFFICE

His desk, chair, waste basket, drawing material. He was a meticulous bookkeeper and one of his account books is on display. Above the desk is a picture of "Toronado", his favorite horse. On top of the cabinet is a yarn winder... inside Rev. Rueben Tinker's Hawaiian Bible... sheep skinned bound, printed in 1837-38... a very rare Bible. Letters written by Rev. Tinker and some of his books on his sermons. The oldest book we have... OLAI MAGNI GOTHI LIBRI XXII 1645. Photos of the Manny and Tinker homes and grounds when in their prime.

#### ROOT CELLAR

The root cellar floor is the limestone rock that the cottage is built on. Used to store the winter's sup-

ply of potatoes, other vegetables and fruit. On display are a grain cradle 145 years old, wooden shoes, old spinning wheel, hand rakes, earthen jars, jugs and an old chest. The chimney has another chimney built inside.

This ends the tour of Tinker Swiss Cottage. If one wishes, he can leave by the basement door and find himself by the remains of the well-loved swinging bridge which connects the Tinker and Manny properties. Above one can see the six foot hanging eaves, supported by large serpentine brackets, several small balconies, the veranda, several court yards, which in the past were used for outside living. One on the west side was used for dining. The large grist mill stone mounted on rocks forms the dining table. This stone was part of a grist mill that stood below this site, it was Rockford's first industry...so the saying goes. In the summer the grounds are beautiful...many types of flowers planted by the Tinkers still bloom...such as the peonies and the yellow roses that were brought from Scotland. The old oak trees are magnificent. We hope you have enjoyed this tour of Rockford's Historical Landmark.



*Issued By*  
*Tinker Swiss Cottage Auxiliary*  
*Donation 50¢*















*Its name indicates its character*

## The Lincoln National Life Foundation

Fort Wayne, Indiana

R. GERALD McMURTRY  
DIRECTOR

September 16, 1969

Mrs. Arden W. Mortensen  
201 12th Street  
Rockford, Illinois 61108

Dear Mrs. Mortensen:

I have your letter of September 10th along with the pamphlet "Tinker Swiss Cottage." I have read the pamphlet with great interest and I hope someday to visit this interesting house.

I enclose LINCOLN LORE #1516 "The Manny Reaper-Some Background Information on the Case of McCormick v Manny, 1855." I trust you will find this bulletin of interest.

You request some information on Lincoln. I am sending you a packet of literature along with a book by Dr. Louis A. Warren titled LINCOLN'S YOUTH-INDIANA YEARS..." which I wish you to place in the Tinker Cottage.

We would be pleased to have you visit our Lincoln Library-Museum if you ever travel in the vicinity of Fort Wayne.

Yours sincerely,

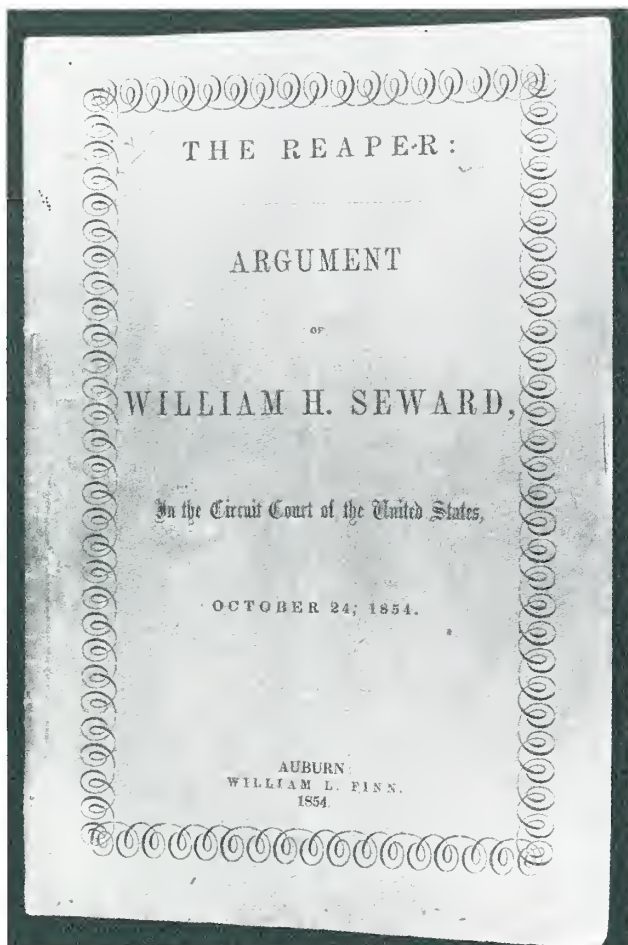
*R. Gerald McMurry*  
R. Gerald McMurry

RGM/cvtw  
Enclosure



Sarah Bush Johnston  
The Foster-mother  
of  
Abraham Lincoln  
Elizabethtown Woman's Club  
Feb. 12, 1927

## Lincoln and Seward Patent Lawyers



From the Lincoln National Life Foundation

A 29 page pamphlet giving William H. Seward's argument before a jury in defense of McCormick's patent rights incorporated in his reaping machine.

On June 21, 1834 Cyrus H. McCormick, then of Rockbridge County, Virginia, was granted a patent on the first reaper. Subsequently, he made many improvements on the original machine, which were patented, and with the competition of many other manufacturers he became involved in numerous law suits.

Most Lincoln students are familiar with the well known McCormick Reaper Case of 1855 when the inventor sued John H. Manny and associates of Rockford, Illinois. While Lincoln was employed on the side of the defendant, received a retainer and prepared a brief, he was not allowed to participate in the case when it was tried in Cincinnati in September, 1855. (See *Lincoln Lore* No. 1516 "The Manny Reaper — Some Background Information on the Case of McCormick vs Manny, 1855, June, 1964).

The final outcome of the suit was that there was no infringement of the plaintiff's patent and court costs were to be paid by the complainant.

Less well known is the case of Cyrus H. McCormick vs William H. Seymour and Dayton S. Morgan for infringement of patents of the original inventor's reaping machine. This case was tried in October, 1854 before

the Circuit Court of the United States for the Northern District of New York. Counsel for the plaintiff was William H. Seward, Charles M. Keller and Samuel Blatchford. Counsel for the defendants was Henry R. Selden, John K. Porter, and Nicholas Hill, Jr.

In the McCormick vs Manny case the main point of contention was the "divider" or "shoe" which preceded the sickle, and parted the standing grain. McCormick also claimed infringement of his patent in the setting of the reel post back of the cutter to improve the action of the reel. Furthermore, McCormick claimed as a patent infringement the position of the raker arrangement in combination with the reel to enable the rake to take the grain from the platform and deliver it on the ground at the side of the machine.

In the McCormick vs Seymour and Morgan case, the main contention was the "divider" patented in 1845 and 1847. Seward ably pointed out that the divider consists of several parts:

First — A beam on the left side of the machine, and reaching out into the wheat.

Second — On the inside of that beam is an iron attached thereto, which enters the grain in the swath to be cut, under the fallen stalks, and, rising as the machine advances, bears those stalks upward and inward, so that they become disentangled and freed, and are brought within the sweep of the reel, which then presses them between the guard-fingers and against the teeth of the vibrating sickle.

Third — On the outside of that same beam, and at the end of it, is a bow extending backwards, bent outwards like the human arm with its elbow, and rising to a shoulder as it returns to the beam opposite the reel standard.

Fourth — The reel, which revolves in front of the sickle, and over the inside Divider, and receives the stalks as they are raised, and delivers them within the guard-fingers.

The trial resulted in a verdict for the plaintiff for \$7,750. One cannot help but wonder if President Lincoln and Secretary of State Seward, during a leisure moment, ever discussed the mechanical merits of the different reapers they had studied so diligently and were prepared to so ably defend.

## Samuel J. Watson Postmaster of Muncie

Lincoln manuscripts with an Indiana connection are eagerly sought for the archives of the Lincoln Library-Museum. Such a document was recently acquired from Mr. and Mrs. Ralph S. Thompson of Bismarck, North Dakota.

The document is an appointment of Samuel J. Watson as Postmaster of Muncie, Indiana. Signed by Abraham Lincoln and William H. Seward, the appointment dated January 12, 1865 is for a period of four years.

Mrs. Thompson secured the document about three years ago from her uncle. Sam Watson, the Postmaster, was the grandfather of the wife of the above-mentioned uncle.

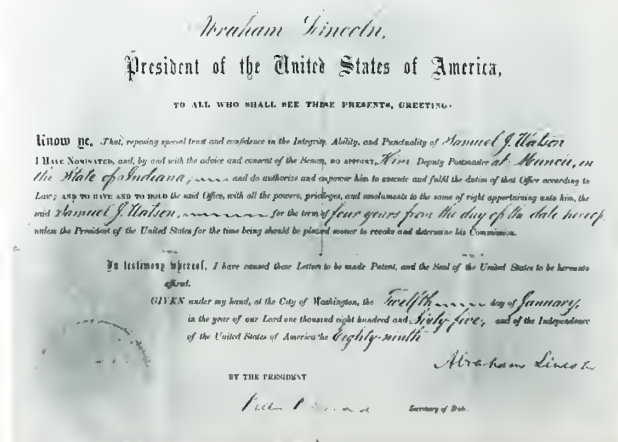




FIGURE 4. In 1964, R. Gerald McMurtry described the Manny reaper in the June issue of *Lincoln Lore*. He had recently helped collector Philip D. Sang obtain a manufacturer's model of this famous reaper, which was a competitor in the market and in the courtroom with the McCormick reaper. Mr. Sang's widow remembered Dr. McMurtry's good offices and recently allowed the Louis A. Warren Lincoln Library and Museum to acquire the model. For the first time in history, this beautiful model (in perfect working order) is on public display.

From the Louis A. Warren  
Lincoln Library and Museum

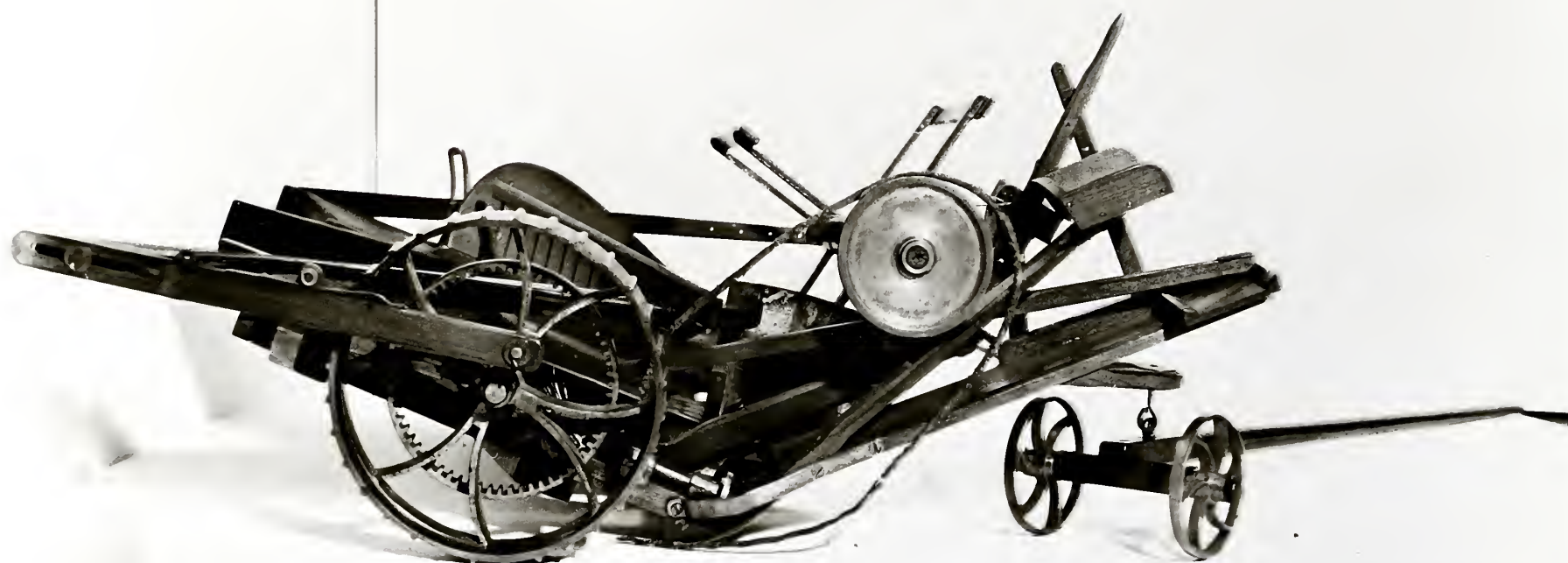
FIGURE 5. Like most other producers of campaign portraits for the 1860 election, Currier & Ives favored the portrait of Lincoln taken by Mathew Brady on February 27, 1860, while Lincoln was in New York City to make his famed Cooper Institute Address. As a statesmanlike photograph, it had not been exceeded by any likeness made by the time of the Republican nomination. Since Brady made the photograph, it was readily available to lithographers and engravers in the East.

Currier & Ives also obtained a copy of an earlier Lincoln photograph, probably taken by Roderick M. Cole in Peoria in 1858. The Republican candidate appeared considerably gaunter and generally less distinguished in this Western portrait. Nevertheless, Currier & Ives based "Our Next President" on it as well as "The Republican Banner for 1860," a campaign lithograph which showed both Lincoln and Hamlin. The portrait was widely used for tintypes, ferrotypes, and other campaign ephemera, but the Currier & Ives print is rather rare. The Louis A. Warren Lincoln Library and Museum acquired a copy of "Our Next President" only this year.

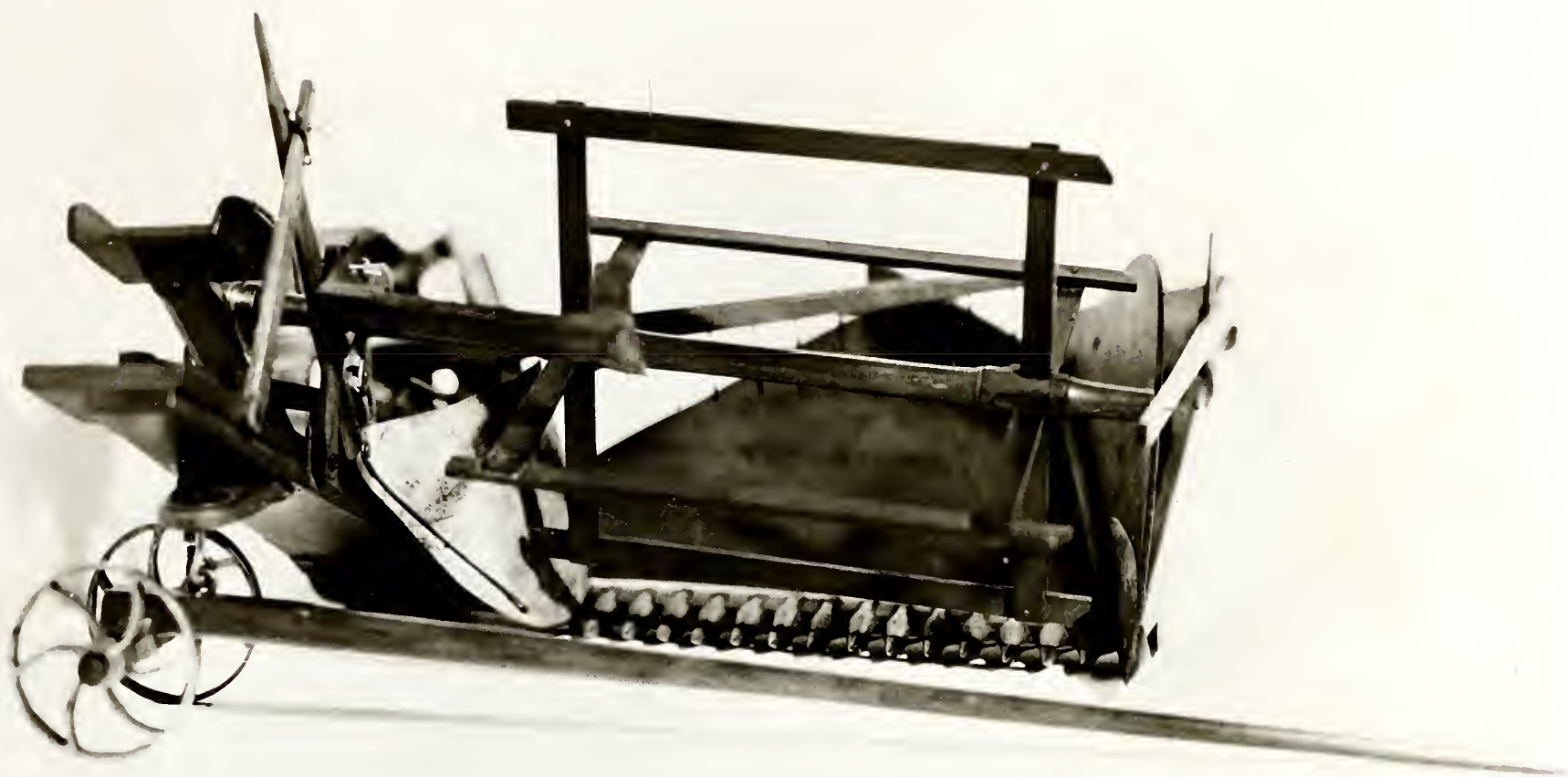


From the Louis A. Warren  
Lincoln Library and Museum









## M<sup>r</sup> Cornish Peepers

The first ~~modern~~ Peep built by M<sup>r</sup> Cornish  
is an display of State Library in Richmond. It  
was built by Cyrus H M<sup>r</sup> Cornish in two blacksmith  
shop on Walnut Grove Farm situated in the  
Rockbridge. Augusta Line in the year 1831.  
The garden of Asphodel was never was the  
shape of certain piece of iron

## THEY SNUBBED LINCOLN.

"Gath" in The Cincinnati Enquirer.

The Philadelphia High School began some time in the thirties or forties, and at a recent convocation of its graduates a member of the very first graduating class attended in the fulness of his strength and success—George Harding, of Philadelphia, the son of an Englishman who owned "The Philadelphia Inquirer," and who is known throughout the land as the second, if not the first, patent lawyer, and is the proprietor of the great Kaaterskill Hotel in the Catskill Mountains, which cost half a million or more of dollars. While at the High School Mr. Harding showed a disposition for geometry and mechanics, and when he was graduated he made patent law his special care, as it was just beginning to appear that patents would be a source of future wealth.

He was, I think, the first lawyer in the land who ever argued cases with working models of machines, and he was with Abraham Lincoln in the celebrated McCormick reaper case, and so little impression had Lincoln made upon his mind that when Lincoln was nominated for the Presidency instead of John McLean, who was some kind of a connection of Mr. Harding's wife, he knew not any fact that was material to Mr. Lincoln's biography.

I was myself a lad of nineteen on his paper at that time, and we had been hearing during the day that the convention at Chicago would probably disagree, and McLean would become the nominee. All at once the news came that Lincoln was nominated, and I was sent up to the Athenaeum, a sort of private library in Philadelphia, to see if I could find out anything there about this man who had been Mr. Harding's associate counsel in the McCormick reaper case. We found next to nothing, and printed next to nothing, if I correctly remember, next morning upon the greatest man of his age.

After the lapse of twenty-four years I met Mr. Harding in the city of Chicago at the brink of the nomination of Mr. Blaine, and I said to him: "I would like to hear something about your connection with Lincoln."

"Oh!" said he, "to think how both Stanton and myself snubbed that poor old man! To think, too, how kind he was to both of us!"

"I want to hear all about it," said I.

"Lincoln was brought into that case because it was necessary to have a counsel who lived in Illinois,

where our client registered his appearance and residence. We wanted a Mr. Arnold, of Chicago, whom somebody had told us about. Chicago at that time was a very uninteresting and remote place.

"We found that Arnold had been engaged on the other side. So we applied to Washburne, member of Congress at Washington, to know if there was a man in Illinois whom it was safe to have in the case. He said that there was a man named Lincoln, at Springfield, who would answer our purpose. We hunted up a lawyers' directory published at that time, a little book, and in it we saw simply 'A. Lincoln, Springfield.' We secured Lincoln, and it has been said that the fee he got out of that case gave him the leisure to make his campaign against Douglas and reach the Presidency."

"Was not Lincoln's argument in the McCormick reaper case fair to middling?"

"I suppose it was a good paper. But we had no expectations about anybody in Illinois. The more Lincoln tried to please us the more we looked down upon him with our Eastern views of what Western men expected to be. We never read his paper. Stanton treated him with contempt. I was studying Stanton up. Between the two of us I am afraid the poor man got very little consideration. However, he was elected President. In the course of time I went to Washington, and I felt that I must call upon Lincoln.

"I went there, and he turned to me and said: 'I hope you voted for me, for I made up my mind if there was one man in Pennsylvania whom I would appoint to office I would appoint you. I had intended, at any rate, to appoint you and Stanton.' And you know," said Mr. Harding, "what he gave Stanton. He gave him all the war-making power of the Government with its vast patronage, and Stanton went on behaving just as he had during the war, attempting to boss Lincoln whenever it suited him. He offered me the place of Commissioner of Patents. My practice was coming forward and I could not take it, but it is the most tender recollection in my life to think of that poor man rewarding us who tried to have no respect for him with his abundant remembrance and favor."



## From the archives: Lincoln's lousy week in Cincinnati

cincinnati.com

*This story was originally published February 12, 2009*

You could hardly blame Abraham Lincoln, after his visit to Cincinnati in September 1855, for saying he never wanted to come back.

"You have made my stay here most agreeable; and I am a thousand times obliged to you," the lanky lawyer from Springfield, Ill., told the family who hosted him in Cincinnati for a week.

"But in reply to your request for me to come again I must say to you I never expect to be in Cincinnati again. I have nothing against the city, but things have so happened here as to make it undesirable for me ever to return here."

What could have put him off so?

On the surface, it would seem from all accounts to have been a pleasant excursion, a tourist's-eye view of the burgeoning city on the banks of the Ohio.

Lincoln walked the city, admiring the gardens, the statuary, the lush estates of Cincinnati's rich and famous. His ambling took him up the hills and away from the noisy, smoky bowl of downtown to neighborhoods that were, in those days, Cincinnati's bedroom communities – Walnut Hills, Mount Auburn, Clifton.

He did everything, it seems, but what he had come here to do – try a case in a court of law.

### Shunned and 'mortified'

By 1855, Lincoln had served one term in Congress and been a state legislator; he was five years from becoming the Republican candidate for president. At that time, he was a practicing lawyer first and foremost; and, with a growing family and mounting debts, he needed all the work he could get. The McCormick-Manny lawsuit gave him a chance to earn some substantial fees and spread his renown as a courtroom lawyer.

In the 1850s, two companies in Illinois were making reaping machines for farmers – the Cyrus McCormick Co. of Chicago, the oldest and biggest company, and the Manny Co. of Rockford, Ill.

McCormick ended up suing Manny for infringement of patent, a charge the company's owner, John H. Manny, hotly denied.

The case was to be heard in U.S. District Court in Chicago; and Manny, who had already hired some well-known lawyers who were experts in patent law, decided to hire Lincoln, who knew the courts in Illinois.

Lincoln, his \$500 advance from Manny in hand, began boning up on reapers and patent law.

But, try as he might, he was unable to contact the lead attorney, Peter H. Watson of Washington, D.C. Watson had brought on two other lawyers, Cincinnati George Harding and Edwin M. Stanton of Pittsburgh – the same Stanton, who, seven years later, would become President Lincoln's secretary of war – to help try the case.

Watson, Harding and Stanton clearly froze Lincoln out, keeping him out of the picture. In August 1855, Lincoln learned quite by accident that the case had been moved from Chicago to Cincinnati. And, still, Lincoln could not get Watson to respond to his letters.

So, in mid-September, Lincoln showed up in Cincinnati.

His fellow lawyers were staying at the elegant Burnet House hotel, which sat on the northwest corner of Third and Vine. That was too rich for Lincoln's blood, though; he ended up staying in the home of a local lawyer, William M. Dickson, whose wife was a cousin to Lincoln's wife, Mary.

When Lincoln first met with the other Manny lawyers in Cincinnati, he was treated rudely – particularly by Stanton, who said he would not associate with “such a damned, gawky, long-armed ape as that.”

Stanton was not through with the insults. Lincoln, he told his fellow lawyers, was a “long, lank creature from Illinois, wearing a dirty linen duster for a coat and the back of which perspiration had splotched with wide stains that resembled a map of the continent.”

Lincoln was told by the other lawyers that he would not be speaking at the trial. In fact, he would not even be sitting at the table with the other lawyers in the courtroom.

And, as for the long brief Lincoln had prepared for a closing argument, they wouldn't even open the folder.

The trial started; and Lincoln, who had come 280 miles from Springfield by train, was not part of it.

When, during the trial, Judge John McLean had lawyers from both sides at his Clifton home for dinner, Lincoln was not invited.

Lincoln, Dickson wrote almost 30 years later, was “grieved and mortified” by his treatment.

“He seemed to be greatly depressed; and he gave evidence of that tendency to melancholy which so marked his character,” Dickson wrote.

### **Lincoln meets Longworth**

So, with no case to try, Lincoln wandered Cincinnati.

“Freed from any care in the law case that brought him here, it was to him a week of relaxation,” Dickson wrote.

He moved about freely, Dickson said, because he was quite unknown.

“Not twenty men in the city knew him personally, or knew that he was here,” Dickson said. “Not a hundred would have known who he was had his name been given them.”

One day, Lincoln walked to Pike Street, on the eastern side of downtown, to the gates of Belmont, the estate of Nicholas Longworth, who made millions in real estate and whose great-grandson Nicholas became speaker of the House. Today, Belmont is the Taft Museum of Art.

“Lincoln entered the open yard, with a towering form and ungainly gait, dressed in plain clothing cut too small,” Dickson wrote. “Mr. Longworth happened at the time to be near the entrance, engaged in weeding the shrubbery by the walk.”

“Will a stranger be permitted to walk through your grounds and conservatories?” the ungainly stranger asked, thinking that he was talking to the gardener. Yes, Longworth said, still gazing at the odd-looking man admiring his topiary.

### **A triumphant return**

While he had no case to try himself, Lincoln spent the better part of a day in Cincinnati's Superior Court, watching Judge Bellamy Storer, a former congressman who, as a judge, had a reputation for wit and humor that rivaled Lincoln's own.

“On this morning, the judge was in his happiest vein, in exuberant spirits, keeping the bar in a roar,” Dickson

wrote. "Mr. Lincoln greatly enjoyed this morning, and was loath to depart when the curtain dropped. He said to the gentleman accompanying him, 'I wish we had that judge in Illinois.'"

Manny ended up winning the case; Lincoln left for home having not played a part in it.

Later, Watson sent Lincoln a check for \$2,000. Lincoln returned it, saying he hadn't done enough to earn it.

Watson insisted and sent it back. This time, Lincoln kept it, splitting the money with his Springfield law partner, William Herndon.

It was not a good week for Lincoln professionally, but he did not make good on the promise to avoid Cincinnati forever.

He was back four years later, in fact, and this time as a rising figure on the national political scene.

He spent three days here in September 1859 – staying this time at the fancy Burnet House – and addressed a "vast concourse" of Cincinnati citizens at the Fifth Street Market, where Fountain Square is today.

And, then, again, on his 52nd birthday in February 1861, as the president-elect passed through Cincinnati with son Tad in a train procession to Washington. "Countless thousands" thronged around the train station, according to Dickson, welcoming the president-elect "with one continuous and unbroken storm of applause."

There was a reception in his honor at the Burnet House, where people stood in line to shake his hand "until a late hour in the evening."

Then, Lincoln went to his room in the Burnet House, put Tad to bed and slept until morning, when the train would take him from the city for the final time.





